Second Series Vol. LV - No. 58

Tuesday, May 2, 1961
Vaisakha 12, 1883 (Saka)

# LOK SABHA DEBATES

**(Thirteenth Session)**

*(Vol. LV contains Nos. 51 - 61)*

**LOK SABHA SECRETARIAT**
**NEW DELHI**

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## LOK SABHA

*Tuesday, May 2, 1961/Vaisakha 12, 1883 (Saka)*

*The Lok Sabha met at Eleven of the Clock.*

[MR. SPEAKER *in the Chair*]

## ORAL ANSWERS TO QUESTIONS

### Forged Passport Cases in Punjab

*1833. **Shri Ram Krishan Gupta:** Will the **Prime Minister** be pleased to state:

(a) whether prosecutions and trials are now going on in Punjab for forged passports;

(b) if so, the total number of trials and persons under prosecution; and

(c) what steps are being taken to prevent such forging?

**The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan):** (a) Yes.

(b) Twenty-two cases involving ninety-one persons, in connection with forgeries in passports, are pending trial in the Punjab.

(c) to obviate the possibility of photographs being replaced on passports, the photographs are embossed and perforated with official stamp. As far as perforation is concerned, some of the Passport Issuing Authorities are following this practice. Action is under way for supplying perforating machines to all Passport Issuing Authorities. A proposal is under study to use eyelet machines for punching eyelets on the corners of photographs on passports. In addition to these measures, strict checking of travel documents has been enforced at the points of exit and Special Police staff has been posted in the Punjab.

**Shri Ram Krishan Gupta:** May I know whether any new cases have also been registered recently?

**Shri Sadath Ali Khan:** Some cases have come to our notice and action is being taken. Some arrests have been made and the cases are under investigation.

**Shri Ram Krishan Gupta:** May I know whether it is a fact that some travel agencies of the Punjab are also involved in these cases, and if so, whether they are still recognised?

**Shri Sadath Ali Khan:** Yes, they are involved in these cases. In fact, some who are responsible for these are standing trial.

**Shri Tyagi:** Were the persons who have been prosecuted acting as individuals or were they acting together as a group working in a conspiracy?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** In a big organisation like this, there is bound to be group working. It was, no doubt, more like a conspiracy.

**श्री विभूति मिश्र :** मैं जानना चाहता हूं कि क्या बात है कि पंजाब में ही सारी बातें होती हैं, गोल्ड का स्मगलिंग होता है, जाली पासपोर्ट बनते हैं, सब कुछ होता है, क्या सरकार ने इसका पता लगाया है ?

**Shri D. C. Sharma:** I take strong exception to the way that this question has been put. This is happening in every State in India.

**Shri Tyagi:** I protest. It is not happening in Uttar Pradesh.

**Shri D. C. Sharma:** No, no.

**श्री जवाहरलाल नेहरू** : बात यह है कि किसी कदर पंजाब के लोगों में जोश ज्यादा है, खून ज्यादा गर्म है, और इसीलिये वे तरक्की करते हैं, और इसीलिये कभी कभी आपस में लड़ते हैं ।

**श्री म० ला० द्विवेदी** : मैं जानना चाहता हूं कि जो जाली पासपोर्ट बनाये गये उनमें से क्या सचमुच कुछ लोग यात्रा कर चुके हैं ? और यदि हां, तो कुछ पता लगा कि कितने ऐसे व्यक्ति हैं जो यात्रा कर चुके हैं ?

**श्री सादत अली खां** : उनमें से बहुत से तो रिपैट्रिएट हो गये हैं, वापस चले गये हैं । उनकी तादाद क्या है यह मुझे पता नहीं, लेकिन बहुत से लोग अंडरट्रायल भी हैं ।

[ان میں سے بہت سے تو ریپٹریٹ ہو گئے ہیں - واپس چلے گئے ہیں - ان کی تعداد کیا ہے یہ مجھے پتہ نہیں - لیکن بہت سے لوگ انڈر ٹرائل بھی ہیں -]

**श्री जवाहरलाल नेहरू** : अभी तक इंग्लैंड में काफी तादाद में ऐसे लोग पड़े हैं, और जब जब मैं पिछले दो तीन वर्षों में वहां गया हूं, वे मेरे पास आये हैं ताकि हम उनको पासपोर्ट दे दें । उन्होंने पासपोर्ट मांगा और अपनी हालत बतलाई । बात ऐसी है कि कुसूर उतना उनका नहीं था जितना उन लोगों का जिन्होंने उनको एक्सप्लायट किया था । अब वे वहां रह कर ऐसी हालत में हो जाते हैं कि वे न इंडियन नैशनल्स हैं न और । स्टेटलेस हो जाते हैं । इस बात पर हम गौर कर रहे हैं और कुछ लोगों को शायद हमारे यहां पासपोर्ट मिले भी ।

**Dr. Vijaya Ananda:** May I know which other States are involved in this? May I also know the names of those States?

**Shri Sadath Ali Khan:** Recently some arrests were made in Madras. Madras is one of the places. Kerala also is there. I do not have the list of the other places.

**Shri Jawaharlal Nehru:** Most of these people were stopped from going by the measures we took at the airports. It was really by air that they used to go. Then they made special arrangements to go by ship from Cochin. We were caught napping because we had not thought that they would engage a special ship from Cochin to take them. So hundreds went. It was then that this matter came to a head. They were stopped at Rome, Paris and elsewhere. Some were sent back; some still are there. These trials are as a result of that particular effort.

**Shri N. R. Muniswamy:** May I know whether the officers who were conniving at this and were abettors in this were also proceeded against?

**Shri Jawaharlal Nehru** Naturally, I do not know about any particular officer, but whoever has been found guilty is being proceeded against.

**Shri Narayanankutty Menon:** Are Government aware that a number of travel agencies in Kerala were concerned with this and were actually conniving at this passport racket? If so, has any action been taken against those travel agencies who are recognised by the Government of India?

**Shri Jawaharlal Nehru:** Action has been taken against some travel agencies. I do not know about the Kerala ones. But as regards those who were here in Delhi and Punjab, action has been taken against them.

**Shri Ram Krishan Gupta:** May I know whether these cases are investigated and conducted by the Punjab police or whether separate arrangement has been made under the control of the Central Government?

**Shri Jawaharlal Nehru:** I could not answer that. But obviously both of them are involved, that is, the Punjab

police and the Central Intelligence and investigation agency. I think they are working in close contact with each other.

**Fertilizer Plant at Trombay**

\+

*1834 { **Shri Pangarkar:** / **Shri Koratkar:**

Will the Minister of **Commerce and Industry** be pleased to state the up-to-date progress so far made in setting up the fertilizer plant at Trombay?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):** A statement is laid on the Table of the Sabha. [*See* Appendix VI annexure No. 45].

**Shri Pangarkar:** In reply to a starred question, it was stated that the US Government had offered $28·00 million to meet the rupee expenditure of the factory. May I know whether any amount has been given so far from that?

**Shri Satish Chandra:** Yes, a loan of $30·00 million dollars has been promised....

**Shri Pangarkar:** Under PL 480....

**Mr. Speaker:** What is the meaning of talking to each other like that? The hon. Member will speak louder.

**Shri Pangarkar:** In reply to a reply to a previous question, it was stated that $28·00 million were offered by the US Government. May I know whether any amount has been given so far by the US Government?

**Mr. Speaker:** Has any amount been received?

**Shri Satish Chandra:** I am saying that the US Development Loan Fund has promised us a loan of $30·00 million. It will be drawn as and when payments are made to the foreign contractors for the supply of plant and machinery. The Indian expenditure will be met from the counterpart funds accumulated in India under PL 480. That money will be drawn as and when the necessity arises.

**श्री म० ला० द्विवेदी :** मैं जानना चाहता हूं कि यह जो ३ करोड़ रुपया का ऋण अमरीका से मिला है, उस के अलावा भारत सरकार क्या खर्च करेगी, और जो ८२५ एकड़ जमीन हासिल की गई है उसके ऊपर सरकार को क्या व्यय पड़ा है ?

**श्री सतीश चन्द्र :** सभी खर्च सरकार करेगी । यह ऋण मिलेगा जो अदा करना होगा मय सूद के ।

**श्री म० ला० द्विवेदी :** मैंने यह पूछा कि कुल कितनी लागत इस में लगेगी, अलावा अमरीका के रुपये के जो कि मिला है । और साइट खरीदने पर कितना रुपया खर्च किया गया ?

**श्री सतीश चन्द्र :** अन्दाज है कि इस प्रोजेक्ट में कुल २५ करोड़ रु० लगेगा, जिसमें फौरन एक्स्चेन्ज का खर्च करीब ११ करोड़ रु० होगा । अमरीका से ऋण के रूप में जो सहायता मिली है वह कुल इस प्रोजेक्ट के लिये खर्च होगी और वह काफी होगी । लेकिन वह सब रुपया गवर्नमेंट आफ इंडिया का होगा और ऋण के रूप में मिलेगा ।

**श्री म० ला० द्विवेदी :** साइट पर कितना खर्च होगा ?

**श्री सतीश चन्द्र :** साइट का खर्च अभी नहीं मालूम हुआ क्योंकि अभी पूरा ऐक्विजिशन नहीं हुआ है । ८२५ एकड़ में से ५०० एकड़ जमीन मिली है, कुछबम्बई गवर्नमेंट की है जिसके लिये उन्होंने कहा है कि हम इस्तेमाल कर सकते हैं, लेकिन दाम अभी तय नहीं हुए हैं । काम जारी हो गया है ।

**Shri T. B. Vittal Rao:** May I know what is the amount that will be paid to the Burmah-Shell refineries for taking their refinery gas?

**Shri Satish Chandra:** Payment to the Burmah-Shell for refinery gas will be made on the basis of the calorific value and will be equivalent to the calorific value or the heat con-

tent of the fuel oil. The c.i.f. price of the fuel oil imported from Abadan will from the basis for calculations.

**Shri Narayanankutty Menon:** May I know whether any agreement has been reached with the Burmah-Shell Refinery and the Standard Vacuum Refinery regarding the utilisation of the surplus gas from the refineries, and if so, what is the payment that has been agreed to by the Government of India for this gas, not furnace oil?

**Mr. Speaker:** That was what was asked by Shri T. B. Vittal Rao.

**Shri Satish Chandra:** Refinery gas will be obtained from the Burmah-Shell Refinery only, and an agreement has been signed. The rate has been fixed. If the hon. Member wants to know the rate, it is about Rs. 7 per $10^6$ kilo calories. I do not exactly know what it means. But the rate has been fixed. The principle for the fixation of the rate is that it will be equivalent to the price of the fuel oil calculated in terms of its heat content.

**Shri T. B. Vittal Rao:** May I know whether an agreement has been arrived at with the Burmah Shell Refineries for the supply of naphtha—that is one lakh tons for 1962?

**Shri Satish Chandra:** The factory will go into production only in 1964—end of 1963 or early 1964—when gas would be required. Of course, apart from this gas, some naphtha would be required, and naphtha is proposed to be purchased from the Standard Vaccum Oil Co. for which negotiations are taking place and a separate agreement is due to be signed shortly.

**Industrial Sodium Sulphate Plant**

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*1835. { **Shri Ram Krishan Gupta:** / **Sardar Iqbal Singh:**

Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No. 680 on the 5th December, 1960 and state the nature of progress made so far in finalising the proposal to set up an industrial sodium sulphate producing plant?

**The Minister of Industry (Shri Manubhai Shah):** Latest revised quotations received from the German firm on 11th April, 1961 for the installation of the plant are under consideration.

**Shri Ram Krishan Gupta:** What are the details of these revised quotations which are under consideration?

**Shri Manubhai Shah:** About Rs. 1 crore of investment and Rs. 20 lakhs of foreign exchange.

**Labour Management Cooperation Scheme**

*1836. { **Shri Shree Narayan Das:** / **Shri Radha Raman:**

Will the Minister of **Labour and Employment** be pleased to refer to the reply given to Starred Question No. 153 on the 4th August, 1960 and state:

(a) what are the units suggested by Central Organisations of employers and workers where labour management cooperation scheme is to be introduced; and

(b) whether any decision in this regard has been made?

**The Deputy Minister of Planning and Labour and Employment (Shri L. N. Mishra):** (a) A statement is placed on the Table of the House. [*See* Appendix VI, annexure No. 46].

(b) The matter is being pursued with the respective units except the units at serial nos. 8 and 9 of the statement.

**Shri Shree Narayan Das:** From the statement it appears that several organisation of employees have not yet suggested the names of the units. May I know whether any time limit has been fixed for them to suggest the names of the units?

**Shri L. N. Mishra:** The employers too have not suggested. No time limit has been fixed. But we are persuading them to submit the names.

**Shri Shree Narayan Das:** Could the hon. Deputy Minister give us an idea as to the time by which the scheme would be put into operation?

**Shri L. N. Mishra:** The scheme is already in operation; it is working in about 23 units. We are to cover 17 units more.

**Shri Radha Raman:** May I know what is the result obtained by the units which had already applied this practice—what is the extent to which it has benefited them?

**Shri L. N. Mishra:** It is difficult to say in a precise manner what the result is. But, in the course of a few months, we had an evaluation made of the working of this programme in some of the units with the help of the State Government's industrial retation machinery; and the experience everywhere has been very encouraging There have been better relations after the provision of the joint council. In many units productivity has increased; the workers' earnings have improved and the labour force has become more stable and the working results indicate better profits.

**श्री विभूति मिश्र** : मैं जानना चाहता हूं कि यह शुगर फैक्टरीज में भी काम कर रहे हैं या नहीं ?

**श्री ल० ना० मिश्र** : अभी तक शुगर फैक्टरीज में तो कोई नहीं है लेकिन एक नाम आया है जहां वह काम करना चाहते हैं ।

**Shri T. B. Vittal Rao:** The results obtained are very good as stated by the Deputy Minister. Could I know why the progress is very very slow?

**The Minister of Labour and Employment and Planning (Shri Nanda):** This was begun as a pilot experiment. And now the results are encouraging, it has been decided to develop it on a larger scale; and a decision has recently been taken that in every unit which has a representative union, effort will be made to establish a joint management council.

**Shri Radha Raman:** May I know whether it is a fact that this experiment in certain units in Bangalore has proved to be not very helpful; and some of the decisions which the Government wanted to take in the larger interests were neither unanimous nor were they supported by the workers?

**Shri Nanda:** There something else happened; the workers changed their allegiance; and, for a period, this had to be suspended—the council.

**Export of Chrome Ore to North Korea**

*1838. **Shri Chintamoni Panigrahi:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether Government have entered into agreement with North Korea for supply of chrome ore; and

(b) whether it is a fact that 12,000 tons of chrome ore have been agreed to be exported to North Korea recently?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):** (a) and (b). The State Trading Corporation has recently entered into an agreement with North Korea for the supply of 10,000—11,000 tons of chrome concentrates.

**Shri Chintamoni Panigrahi:** May I know whether the S.T.C. had to undergo a loss of Rs. 3½ lakhs in 1958-59 on the export of this chrome ore because the firm which supplied this chrome ore supplied ores of lower specification and took more money from the S.T.C.?

**Shri Satish Chandra:** Supplied to whom?

**Shri Chintamoni Panigrahi:** Supplied to the S.T.C.

**Shri Satish Chandra:** This is the first contract with North Korea; and this question relates to North Korea.

**Shri Chintamoni Panigrahi:** The S.T.C. exported chrome ore in 1958-59 also.

**Shri Satish Chandra:** The S.T.C. has been exporting chrome ore for the last 2 or 3 years. As far as I know, this is the first contract with North Korea.

**Shri Chintamoni Panigrahi:** My question is whether the S.T.C. exported any chrome ore outside India in 1958-59; and, if so, whether it had to undergo a loss of Rs. 3½ lakhs.

**Shri Satish Chandra:** The hon. Member may put a separate question. This question is particularly in relation to North Korea.

**Shri Chintamoni Panigrahi:** May I know whether it is a fact that the S.T.C. had given this order to a particular mine owner who is a favourite of the S.T.C.—who has always got these orders from the S.T.C.?

**Shri Satish Chandra:** The firm has got the order because it is competent to supply the required quantity.

**Mr. Speaker:** What is the use of putting questions asking whether it is partiality? If the hon. Member wants to know details he may ask whether it was advertised or whether tenders have been called for. This is the only way of proving what he wants. What is the use of putting questions imputing motives?

**Shri Chintamoni Panigrahi:** I only wanted to know whether this order was placed....

**Mr. Speaker:** Whether tenders were invited and this was the lowest tender....

**Shri Chintamoni Panigrahi:** That is my question, Sir.

**Mr. Speaker:** This is what he meant.

**Shri Satish Chandra:** The S.T.C. had purchased certain stocks in previous years from a particular firm for supply to other countries. Those supplies could not be made on account of the other party going back on the contract. All those stocks were lying with that particular firm and the S.T.C. has now exported them to North Korea. Naturally, the remaining quantity has come from the same firm.

**Second Agricultural Labour Enquiry**

*1840. **Shri Inder J. Malhotra:** Will the Minister of **Labour and Employment** be pleased to state:

(a) whether it is a fact that the Second Agricultural Labour Enquiry has submitted its report to Government;

(b) if so, what are its main findings; and

(c) whether Government have taken any decision on its main recommendations?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) Yes.

(b) The required details are mentioned in the Report, which was placed on the table of the House on 21.12.1960.

(c) A Central Advisory Committee on Agricultural Labour has been set up by the Planning Commission with a view to taking a comprehensive view of the problems of agricultural workers, suggesting measures for the amelioration of their economic and social conditions and keeping the entire programme of settlement of agricultural workers on and under constant review.

**Shri Inder J. Malhotra:** May I know the main difference between the recommendations made by the first and the second enquiries?

**Shri Abid Ali:** There is a big difference; the hon. Member can see both the reports and be enlightened.

**Pandit D.N. Tiwari:** May I know whether after these two enquiries by the Commission any increment in the wages of labourers has been arrived at?

**Shri Nanda:** We have subjected to an analysis the findings of both the reports and the conclusion is that in view of the fact that the design, the basis and the concepts were altered to a very considerable extent there is not much comparability in the statistical results.

**Shri S. M. Banerjee:** The hon. Deputy Minister stated that after this Second Labour Enquiry Committee report another committee has been appointed. I want to know what positive steps have been taken by Government to reduce the burden of indebtedness on agricultural labour and also to reduce the unemployment problem in the rural areas.

**Shri Nanda:** It was mentioned—and it is there in the answer too—the appointment of a Central Advisory Committee on Agricultural Labour. It has met already a few days ago and it has taken into consideration all these facts, specially the problems of employment of agricultural labour. Various measures have been considered and suggestions are being made to deal with that problem.

**Shri Raghunath Singh:** May I know whether the Government or any Ministry has any doubt about the authenticity of the findings of the report?

**Shri Nanda:** It is not a question of doubt. The methods are refined. It is discovered that there is a way of ascertaining the facts on a basis which is to be charged now, which is better compared to the previous basis.

**Shri A. C. Guha:** Would it materially effect the findings in the report.

**Shri Nanda:** There is for instance the intensity of employment. The measure of intensity has changed so many number of days and so many hours and so on.

Previously people with a certain amount of land were included in that. Now they have been excluded. So that the earnings to that extent become not comparable.

**Shri P. R. Patel:** Is it a fact that the enquiry has led to the conclusion that the wages to the farm labourers could not be increased unless the price level of agricultural production is increased?

**Shri Nanda:** That is a question of policy which does not flow immediately from the report. But I must state here that the enquiry at any rate brings this out that the condition of agricultural labour has not improved to any significant extent.

**Shri Eacharan:** May I know whether there is any proposal to fix the number of hours of work per day so that labour may get some overtime?

**Shri Nanda:** Yes, Sir. Among the suggestions that are being adopted is a largescale programme of introducing rural industries for the rural areas.

**Shri Shivananjappa:** May I know whether the Government proposes to bring out a comprehensive legislation to implement the recommendation?

**Shri Nanda:** There is legislation already, so far as the minimum wages are concerned. The other things, as far as I can see, call for no legislation.

**Shri Basappa:** May we know exactly the proportion of the agricultural labour to the rural population and whether it is increasing or decreasing?

**Shri Nanda:** It depends, as I said, upon the definition of agricultural

labour assumed in one report or another.

**Shri Tyagi:** In view or hordes of unemployed agricultural labour, do Government think that any legislation for the purpose of minimum wages or any legislation for the purpose of limiting the hours of work, etc. would be practicable so long as there is surplus of labour and it does not get employment?

**Shri Nanda:** Hon Member is right. Legislation is not going to help them very far. There is no question of any new legislation about the hours. Legislation for the minimum wages is already there.

**राजा महेन्द्र प्रताप** : क्या मैं एक सवाल पूछ सकता हूं ? मुझे तो ऐसा नजर आता है कि आप जिस तरह से काम करते हैं, उससे झगड़ा और बढ़ जाता है । गांवों में कुछ लोग मजदूर हैं और कुछ लोग जमीनों के मालिक हैं, .....

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** Is the hon. Member referring to you, Sir? He said "Aap".

**अध्यक्ष महोदय** : "आप" के माने सब लोग ।

He has his own method.

**एक माननीय सदस्य** : "आप" का मतलब है गवनमेंट ।

**राजा महेन्द्र प्रताप** : जनाब आली मैं आपसे कहता हूं कि आप का जो तरीका है, उससे झगड़ा और बढ़ जाता है । क्या हमें यह कोशिश नहीं करनी चाहिये कि गांवो में जमीन वालों और मजदूरों में ऐसा समझौता हो कि वे मिल कर काम करें ?

**अध्यक्ष महोदय** : ठीक है, लेकिन यह कोई प्रश्न नहीं ।

**Shri B. K. Gaikwad:** What is the average income of an agricultural labourer?

**Shri Nanda:** All these figures are given in the report.

**Shri Inder J. Malhotra:** May I know whether the appointment of this Central advisory committee is a temporary feature?

**Shri Nanda:** No, Sir. This is a committee which is going to continue and is going to have meetings at least once in six months. Therefore, it will apply itself to the problems of agricultural labour continuously.

**Shri B. K. Gaikwad:** The hon. Minister replied that everything had been mentioned in the report. But the report is not available at the sales counter. May I know whether it will be placed there?

**The Deputy Minister of Labour (Shri Abid Ali):** We have supplied about 25 copies to the Parliament library and also for the Table Office. About thirty copies were sent to some of the hon. Members who had asked for it. It will not be possible, I am sorry to say, to give it to others; it is available for sale at Rs. 17-8-0.

**Shri S. M. Banerjee:** The hon. Minister stated that Minimum Wages Act is applicable to the agricultural labour. May I know whether it is not applicable and it has not been implemented in the majority of the cases and if so I want to know the number of agricultural labourers who are not getting any benefit out of it.

**Shri Nanda:** I recognise that there are, as the hon. Member hinted, difficulties of implementation, considering also the great pressure on the land and the large numbers involved. Efforts are being made progressively to improve the implementation. I am sure that over these years things have improved.

**Mr. Speaker:** I would suggest to the hon. Minister to reduce the price to Rs. 5 for Members of Parliament; they are interested in these reports.

**Shri Nanda:** Sir; we shall do it.

**Indian Boy Treated as Slave in London**

*1841. **Shri D. C. Sharma:**
**Shrimati Ila Palchoudhuri:**
**Shri Nath Pai:**
**Shri Assar:**

Will the **Prime Minister** be pleased to state:

(a) whether Government of India's attention has been drawn to an account of a Court proceedings in London (England) in connection with maltreatment of a domestic boy-servant of an official of the Indian High Commission in London having been published in British newspapers under broad headlines, "Indian Boy Treated as Slave in London'; and

(b) if so, full facts of the matter?

**The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):** (a) Yes.

(b) A domemstic servant, Chand Ram, aged 14, was engaged by Shri P. C. Kapoor, Railway Adviser in the High Commission of India in London, with the consent of the boy's guardians. His wages were fixed at Rs. 150 per month plus food but not including clothing. Chand Ram arrived in London on the 1st January, 1961, and his wages for three months have been fully paid.

On the 3rd April, 1961, Chand Ram disappeared from the house of his employer at 10-30 p.m. and went to the Police Station in the company of two outsiders to ask for help in collecting his belongings from the officer's house. The police, however, brought him back to his employer. Chand Ram left the house again on the 4th April and went to the Police Station in the company of his friends, alleging maltreatment. The police, therefore, produced him before the Juvenile Court the same day. The Court placed him in the care of the Middlesex County Council for two weeks. The case came up before the Court on the 19th April. As the Children's Officer of the County Council required some more time to prepare his report, the case has been postponed for a fortnight.

Government are carrying out departmental enquiries into the matter. In the meanwhile, the guardians of the boy have expressed a wish to have him repatriated to India and Government have agreed to do so?

**Shri D. C. Sharma:** May I know if there are certain rules for granting passports to persons who are under age or who are minors and whether these rules were observed when the passport was given to this boy when he was taken as a domestic servant?

**Shrimati Lakshmi Menon:** Yes, Sir. There are certain rules and minors are not given passports unless they are accompanied by guardians. When a case like this is sponsored by a sponsoring authority which happens to be the Railway Board in this case passport and emigration facilities are granted automatically.

**Shri D. C. Sharma:** May I know by whom is this departmental enquiry being conducted? Is it by the High Commission in London or some other authority because.....

**Mr. Speaker:** He need not say 'because' and all that.

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** The departmental enquiry must necessarily be conducted by the department concerned, by the very nature of things. But it is not being conducted at present to any extent because the boy is not there; the boy's evidence would be the essential part.

May I say, Sir, that this whole affair is most regrettable? I do not know the exact facts; we shall find them out. I think it is unfortunate and it is wrong for such young boys to be sent abroad to begin with and whoever may be at fault, something has gone wrong somewhere and the young boy has to go to the police to complain about his employer. We shall

find out. Meanwhile, I think the boy would rather best come back here. That will depend upon the police court there—whatever they have got to do with the children's court—if they agree that the boy will be sent back at Government expense to his parents here.

As far as the officer is concerned, it will be a matter for the enquiry which has begun and which will continue later.

**Some Hon. Members** *rose*—

**Mr. Speaker:** The hon. Prime Minister has given an answer in extenso. What more is to be done?

**Shri Braj Raj Singh:** The Deputy Minister has said that in this case the Railway Board perhaps acted as a guardian of the ward.

**Mr. Speaker:** Sponsored.

**Shri Braj Raj Singh:** Yes, Sir; sponsored, of course. She also said that such boys are allowed only to accompany their guardians. How is it that the Railway Board acted, as a matter of fact, as the guardian? I want to know whether any action will be taken against the people....

**Mr. Speaker:** Order, order. I am sorry that the hon. Member did not follow the answer. Normally, unless such minors are accompanied by guardians, passports are not given. But wherever an institution sponsors them, they do not look into the further details, and they act upon the advice of the sponsoring authority. In this case, the Railway Board sponsored.

**Shrimati Lakshmi Menon:** Secretary of the Railway Board.

**Mr. Speaker:** Yes; they will certainly make enquiries as to how he went, sponsored and all that. All that will come about. I am sure the enquiry will be exhaustive.

**Shri S.M. Benerjee:** One question. The railway officer acted as the guardian. I want to know whether they took permission from the guardians.

**Mr Speaker:** Hon. Members will wait and see. All that will be gone into. Next question.

**Visit of a Press-Correspondent to Naga Hills**

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*1842. { **Shri Hem Barua:** / **Shri S.M. Banarjee:**

Will the **Prime Minister** be pleased to state:

(a) whether the attention of Government has been drawn to a news-item published in *The Hindustan Times*, New Delhi, dated 11th April, 1961 to the effect that Mr. Gavin Young, correspondent of the *Observer*, visited the I.A.F. men at present in the custody of Naga hostiles of which a detailed account is given;

(b) if so, whether the press-correspondent concerned was given the necessary permit to visit the Naga Hills; and

(c) if so, what is the period for which this gentleman was allowed to stay in the Naga Hills?

**The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan):** (a) Yes.

(b) and (c). No permit was given to Mr. Gavin Young to visit Nagaland. It appears that he went there from Burma.

**Shri Hem Barua:** In view of the fact that the whereabouts of these airmen are now located by Mr. Gavin Young, with photographs of the airmen published in the *Hindustan Times*—and one of the photographs has bee sent to the father of Capt. Misra also—may I know whether the Government will try to contact them and then effect their release, if possible?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** Broadly speaking, the whereabouts have been known, but the whereabouts is an area, not a

spot. Even in the account of Mr. Gavin Young, it is stated that they do not stop at one place; they move about from day to day, because otherwise they might get into trouble. There is no question of our contacting them in the way suggested; I do not know what the hon. Member means. There are ways of contact, and sometimes, contact means conflict. Some types of contacts are continuing from time to time. If any other occasion arises for any other way, we shall consider it. But I do not quite understand what other thing the hon. Member has in mind.

**Shri Hem Barua:** On a point of order, Sir. On a previous occasion, I tabled a few Adjournment Motions and I also had given notice of several Short Notice Questions, because I felt that this is a very urgent matter. Our people are in the hands of hostiles.

**Mr. Speaker:** What is the question or the point of order?

**Shri Hem Barua:** I am coming to it in a minute.

**Mr. Speaker:** This preamble is not necessary.

**Shri Hem Barua:** On those occasions, when we wanted the information, the whereabouts of the airmen were not given to us. Now, the whereabouts are given to us by an Englishman, a correspondent of the *Observer*. The hon. Prime Minister said that the whereabouts are known to us. So, there is a discrepancy in the two statements. On a previous occasion, it was said that the whereabouts were not known and they refused to divulge the whereabouts.

**Shri Jawaharlal Nehru:** I do not understand the hon. Member's confufusion. I said that the whereabouts are known to us in the sense of the area, not the spot. The area is obvious. Every hon. Member knows the area. We know a little more—a confined area. And they move about from place to place. Everybody can say it is Naga area. It is too broad. One could say it is the north-east part of the Naga area. That is not the exact spot. In fact, I think I hinted on a previous occasion that they function also from the Burmese territory. It is on this side of the Burmese frontier and the other side. That is broadly known to us, but the exact spot varies from day to day.

**Shri Hem Barua:** In view of the fact that it has been established now that these airmen are in the custody of the Naga hostiles who operate also from the Burmese territory, may I know whether the Government have tried to contact the Government of Burma to come to our help, if necessary?

**Shri Jawaharlal Nehru:** We have been in touch with them.

**Shri S. M. Banerjee:** This particular journalist, Mr. Gavin Young, has written two letters—one on the 7th April and the other on the 20th April—to the father of one of the captives who is in Kanpur. May I know whether it has been brought to the notice of the hon. Prime Minister that he has written as follows:

> "I can tell you, however, all the necessary things are being done here in London to convince Mr. Phizo, the President of the Naga National Council, that it would be taken as a humane gesture if he 'ordered' their release."

I have got in my possession the two letters in original and the photographs.

**Mr. Speaker:** What is the question?

**Shri S. M. Banerjee:** I want to know this; how this correspondent, we did not go through us, went through Burma. He has written two letters to the father of one of the captives and he knows the whereabouts of all the airmen. He has sent photographs. I want to know whether the Government have in their possession any such letters or whether they will enquire into the matter. All this is being done: photographs have been taken

and letters have been sent to the father of one of the captives. We do do not know the whereabouts; it is something strange.

**Mr. Speaker:** The hon. Member can only put a question and should not go on arguing.

**Shri S. M. Banerjee:** My submission is this.

**Mr. Speaker:** What is the question? I am not able to understand.

**Shri S. M. Banerjee:** My question is this. I come from Kanpur. The old and ailing mother and father of one of the captives are constantly receiving letters from the airman.

**Mr. Speaker:** What is the question?

**Shri S. M. Banerjee:** My question is, whether it is in the knowledge of the Government of India that Mr. Gavin Young is in constant correspondence with the father of the captives and whether he is also in touch with Mr. Phizo who is conducting these operations in Nagaland, where, our Government says there are loyal Nagas. The condition of the loyal Nagas is like that of the INTUC. They are powerless people. Let us know the position.

**Mr. Speaker:** Order, order. He is introducing extraneous matters. He only wants to know whether the Government would make contacts with that gentleman....

**Shri Jawaharlal Nehru:** With whom, Sir?

**Mr. Speaker:** ....the gentleman who is having correspondence with them.

**Shri Jawaharlal Nehru:** No, Sir. Mr. Gavin Young is a newspaper correspondent representing a London newspaper. Not being able to go to Nagaland through India, he went to Burma and naturally crossed the border. It is slightly on this side of the border and he wrote an article about what he saw and heard. No doubt, on that occasion, it would appear that he got some letters, etc., which he passed on.

**Some Hon. Members** *rose*—

**Mr. Speaker:** Evidently, they are suggesting that this Mr. Young is constant touch with those people who are hostiles and also writing to the people, and they want to know whether he could not be utilised for the purpose of ascertaining and knowing more facts.

**Shri Jawaharlal Nehru:** No, Sir. He cannot be and he will not be, so far as we are concerned.

**Shri S. M. Banerjee:** He has misunderstood me. Where the movement is known....

**Mr. Speaker:** If the hon. Member, even after about 10 minutes, is not able to make me understand, I will proceed to the next question.

**Shri Hem Barua:** May I know whether it has been ascertained, from whatever sources as are possible, official or non-official, if the Naga hostiles have put any conditions for the release of these airmen and, if so, what are those conditions?

**Shri Jawaharlal Nehru:** I do not know of the conditions they put forward.

**Shri S. M. Banerjee:** I want to know whether the Government of India would take up this matter also with the Naga rebel leaders and Mr. Phizo, who, according to this correspondent, can order the release of these captives. I want to know if such action will be taken or whether he will be contacted at least.

**Shri Jawaharlal Nehru:** No, Sir. It is not our intention to do so.

**Shri Hem Barua:** One question, Sir.

**Mr. Speaker:** No.

**Shri Hem Barua:** Let him clarify the point whether....

**Mr. Speaker:** I have allowed a number of questions. Next question.

**Nehru-Dalai Lama Talks**

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*1843. { **Shrimati Maimoona Sultan:** **Shri D. C. Sharma:** **Shri Ajit Singh Sarhadi:**

Will the **Prime Minister** be pleased to state:

(a) whether the Dalai Lama visited New Delhi on the 15th April, this year for having some discussions with him; and

(b) if so, what were the subjects discussed?

**The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan):** (a) Yes.

(b) Arrangements for the education of the Tibetan Refugee children in particular and the problem of rehabilitation of Tibetan refugees in general.

**Shrimati Maimoona Sultan:** May I know, Sir, if there has been any precedent in history or any other country which granted asylum to political refugees on the conditions that they do not engage themselves in political activities? If not, may I know, what are the reasons that influenced the Government to make this departure from this international practice?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** I do not know if the hon. Member is referring to some general principle in these matters or she wants me to quote instances. It is the normal practice that when asylum is granted, it is done so subject to any condition that the country may think it necessary. The condition is that the soil of their country should not be used for any purposes opposed to them, which might get the country into trouble. It is a normal practice.

**Shri Ranga:** Does it mean that we have imposed any conditions on the Dalai Lama and if so, what are those conditions?

**Shri Jawaharlal Nehru:** We informed the Dalai Lama when he first came here and subsequently that we would not like him to use the soil of India to carry on any operations in regard to Tibet. We just left him to his discretion to function and broadly speaking he has functioned in that way. Occasionally, of course, it is rather difficult always in regard to borderline cases. Sometimes something might have been done by him, which he would have been wiser if he had not done. But broadly speaking, he has been good enough to abide by these. I would not call conditions, but certain matters which we expect him to do when he is here.

**Shri Ranga:** Am I to understand that the Dalai Lama is not in any way prevented from carrying on his correspondence with the United Nations and other nations also, without indulging—as he has not been indulging—in any offensive activities either against India or in any violent activities against any other nation.

**Shri Jawaharlal Nehru:** The question is whether he can carry on correspondence. He can carry on correspondence with any person or organisation.

**Mr. Speaker:** All these are not relevant to the question that has been tabled, *viz.*, what are the subjects that have been discussed.

**Shri Braj Raj Singh:** May I know whethe the question of investment of funds by the Dalai Lama in Indian business was also considered at these talks?

**Mr. Speaker:** He wants to know whether the matter of his investing funds in India was one of the matters discussed?

**Shri Jawaharlal Nehru:** Discussed here? No, Sir. There was nothing to discuss about it. The information we had, we had previously. It might have been mentioned previously. Ther is not much to discuss about it. We discussed, as I stated, chiefly Tibetan children's education and the rehabilitation of Tibetan refugees here.

**Shrimai Maimoona Sultan:** In view of the fact that economic assistance has been given to political refugees by the international organisation, say, to Arab refugees, may I know if Government of India propose to seek economic assistance from the UN or other agencies for the rehabilitation of Tibetan refugees and if not, what are the reasons for not doing so?

**Mr. Speaker:** It does not arise out of this question. The hon. Member wanted to know the subjects discussed and the hon. Prime Minister said broadly two questions were discussed—the education of Tibetan children and one other matter.

**Shri Hem Barua:** May I know whether the attention of the Prime Minister is drawn to a statement made by the Dalai Lama and the purport of it is that he left the Prime Minister a much wiser man, that he became a much wiser man after he left the Prime Minister? If that is so, on what point was he wised up?

**Mr. Speaker:** The hon. Member will refer to the newspaper man.

**Industrial Relations in Iron and Steel Industry**

*1844. **Shri Kunhan:**
**Shri T. B. Vittal Rao:**

Will the Minister of **Labour and Employment** be pleased to state:

(a) whether Government have recently reconsidered their decision regarding taking over the industrial relations in iron and steel industry in the Central sphere; and

(b) if so, the nature of decision arrived at?

**The Deputy Minister of Planning and Labour and Employment (Shri L. N. Mishra):** (a) and (b). The matter is under consideration.

**Shri Kunhan:** In view of the fact that the production and distribution prices in the iron and steel industry are regulated by the Central Government, may I know why the industrial relations should not be taken over by the Central Government?

**Shri L. N. Mishra:** There is need of it, but we have to take the consent of the State Governments. We are trying for it.

**Shri T. B. Vittal Rao:** The State Governments that are to be consulted are one or two. May I know why there is so much delay in regard to this taking over by the Central Government?

**Shri L. N. Mishra:** We have been trying for it for the last three years. We consulted the State Governments in 1958 and most of the State Governments did not agree. Now the Estimates Committee have recommended that it should be taken over by the Central Government. We have again asked the State Governments to agree.

**Shri T. B. Vittal Rao:** The employers' organisation and employees' organisation have suggested to the Government that it should be taken over. Now the Estimates Committee have also recommended that it should be taken over. Then, why should there be any delay? It should be taken over as a matter of fact.

**Shri L. N. Mishra:** We want to have it, but under the Constitution and under the Industrial Disputes Act, 1947 it is under the State sphere. So, the State Government have to agree to hand over this thing to the Government of India.

**Shri S. M. Banerjee:** May I know whether it is a fact that both TISCO and IISCO have approached the Central Government that this should be left in the hands of the State Governments and they are opposed to this proposal?

**Shri L. N. Mishra:** Yes, Sir; it is a fact and we have got all-round demand for it. But we have to take the consent of the State Governments. We cannot do it without the consent of the State Governments.

**Shri Prabhat Kar:** It is suggested by the Deputy Minister that without the

authority of the State Governments, this cannot be taken over by the Central Government. Was it not a fact that when the banking industry was taken over by the Central Government, to State Governments were not consulted?

**Shri L. N. Mishra:** Here we have to consult because under the Industrial Disputes Act, 1947, industrial relations in the steel industry come under the sphere of the State Governments. If we are to take it over, for that the concurrence of the State Governments is essential.

**Shri Prabhat Kar:** When the banking industry was taken over, the Industrial Disputes Act was there in 1949 and it was under the State Government. But it was taken over by the Central Government, without consulting the State Governments. Why has the same procedure not been adopted in this case also?

**Shri L. N. Mishra:** That might be a different case. But here we have to take the concurrence from the State Governments. We cannot take it away illegally or by force. We have to take the consent of the State Governments.

**Shri S. M. Banerjee:** May I know whether the consent of the West Bengal Government and the Bihar Government has been obtained and whether any of these Governments have expressed any opinion in favour of this proposal?

**Shri L. N. Mishra:** Not so far; we have not received any communication from the State Governmeits. We have received information from one or two State Governments, but it is not encouraging.

**National Agricultural Co-operative Marketing Federation**

*1846. **Shri Hem Raj:** Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether it is a fact that the offices of the National Agricultural Co-operative Marketing Federation are located in Krishi Bhavan;

(b) whether it is a fact that it is a private commercial organisation not recognised by Government;

(c) what rent, if any, is being charged from it and since how long it has been functioning there; and

(d) if no rent is being charged, the reasons therefor?

**The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda):** (a) Yes, Sir.

(b) It is an organisation registered under the Co-operative Societies Act.

(c) and (d). No rent is being charged at present. The question of recovery of rent is, however, being looked into. It has been occupying the accommodation since February 1959.

**Shri Hem Raj:** May I know whether it is a fact that the Ministry of Community Development and Co-operation had informed the State Governments that it is not a recognised body?

**Shri Anil K. Chanda:** I have not got this information.

**Shri Inder J. Malhotra:** May I know if any other such co-operative organisation has been allotted office premises in Krishi Bhavan?

**Shri Anil K. Chanda:** I may inform the House that it was not allotted by the Directorate of Estates. This co-operative organisation evidently was in difficulty with regard to their accommodation and a part of the room meant for the personal staff of the Minister of Agriculture has been permitted to be used by it for this purpose. No rent, I understand, is being charged.

**Pandit D. N. Tiwari:** May I know whether this society have applied for any room there or it was given **suo motu** by the Minister or anybody?

**Shri Anil K. Chanda:** I have not got much information, because it was not done by us.

**Shri Braj Raj Singh:** What is the estimated rent of thee portion which has been occupied by this organisation?

**Shri Anil K. Chanda:** So far as my information goes, no rent is being charged.

**Shri Braj Raj Singh:** That is not the question. What is the estimated rent of the space which has been occupied by this organisation?

**Shri Anil K. Chanda:** Actually we first came to know of it after this question had been tabled. We have gathered these things from the Ministry of Agriculture. As far as our information goes, only a small portion of that room with one or two tables is being used by the society. But if it is your desire, I can make the calculation and give the information.

**Mr. Speaker:** The Minister could have easily said "I do not know". That is easy. After all, It does not belong to his department. He was not responsible for having let it out; it is part of the room meant for personal staff of the Agriculture Minister. When the question is put as to what is the estimated rent, he could easily have said, "I do not know".

**Kidnapping of Indian Fishermen by Pakistanis**

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*1847. **Shri Raghunath Singh:**
**Shri M. B. Thakore:**
**Shri S. M. Banerjee:**
**Shri Assar:**
**Shri Hem Barua:**

Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that six Indian fishermen were kidnapped by Pakistani armed policemen from the Indian side of the river Padma in Jalangi P. S. in Murshidabad District on the 16th April, 1961; and

(b) if so, the details of the incident?

**The Deputy Minister of External Affairs (Shrimati Lakshmi N. Menon):** (a) Yes Sir.

(b) Six Indian fishermen, while fishing on the Indian side of river Padam opposite Khasmahal Border Out-Post under Jalangi Police Station, District Murshidabad, were kidnapped by Pakistani Policemen and taken to Pakistan along with their boat and fishing tackle worth rupees eight hundred. A protest has been lodged with the Government of East Pakistan demanding the immediate release of the fishermen and their equipment.

**Shri Raghunath Singh:** May I know whether they have been released or they are still in Pakistan?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** I am sorry, I cannot give a positive answer just at present. Obviously, they were not released when this answer was drafted; but since this answer was drafted a week or ten days ago, possibly some changes might have taken place. As a matter of fact, I have just tried to enquire about it, but the reply has not yet come, the question came too soon.

**Shri Hem Barua:** May I know whether it is a fact that a Pakistani survey team with survey instruments were in collusion with the police in kidnapping these Indian fishermen; if so, whether this fact has come to the notice of the Government or not?

**Shri Jawaharlal Nehru:** I cannot answer that question about collusion.

**Mr. Speaker:** In collusion with our police?

**Shri Jawaharlal Nehru:** No, Sir; with the survey team.

**Mr. Speaker:** Where is the collusion then?

**Shri Jawaharlal Nehru:** There does not appear to be any motive for the survey team to kidnap some fishermen. I do not know how they profit by it.

**Shri Hem Barua:** My information is that there was a Pakistani survey team with survey instruments in their possession, and they aided actively the policemen in capturing these fishermen.

**Shri Jawaharlal Nehru:** This question is something entirely different. He is thinking of some other question.

**Shri S. M. Banerjee:** Previous to this, Sir, there were other instances in the past when fishermen were arrested by armed Pakistani police. I want to know whether those fishermen who were arrested about two years back have been released.

**Mr. Speaker:** This question relates to fishermen arrested on 16th April.

**Shri S. M. Banerjee:** May I know how many fishermen are in the custody of Pakistan authorities at present?

**Mr. Speaker:** I do not know.

**Shrimati Lakshmi Menon:** We require a separate notice for that.

**Shri Bal Raj Madhok:** May I know what steps are being taken to prevent frequent recurrence of this kind of raids and kidnapping of fishermen by the Pakistanis?

**Mr. Speaker:** These are questions of a general nature.

**Shri Jawaharlal Nehru:** These are questions of a general nature involving difficulties about rivers as to whether the border comes in the middle, on this side or the other side. Although most of our border disputes have been settled, some of these are still unsettled and there is confusion—at least there are two views as to where the international boundary is, on what part of the river. There is another question put down for today about the Feni river. That question has been deliberately put aside for future settlement. According to us the boundary is on the middle of the river, and according to Pakistan it is on the edge of the river on our side.

**Shri Hem Barua:** May I know whether the Government have policed the vulnerable points in these border lines?

**Shri Jawaharlal Nehru:** Vulnerable point is the moving current here; it is no point at all.

**Shri Hem Barua:** There are vulnerable points in the moving current also.

**Shri M. B. Thakore:** May I know whether we have any check-posts just near the border?

**Mr. Speaker:** Are there checkposts in the place from where these people were kidnapped?

**Shrimati Lakshmi Menon:** This happened on the river.

**Mr. Speaker:** He wants to know whether there are chek-posts on the banks of the river.

**Shri Jawaharlal Nehru:** If there is a check-post it is on our side. Obviously, they were on the river when they were caught. Their boat might have gone a little that side or the other side.

**Mr. Speaker:** Next Question.

**Some hon. Members** *rose*—

**Mr. Speaker:** Order, order. Many other things are happening. Let us go to the next question.

**Airlifting of Indian Troops to Congo**

***1848. Shri D. C. Sharma:** Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that a contingent of Indian troops to Congo is lying at Dara-el-Salam due to the refusal of the U.N. officials to airlift them to Leopoldville; and

(b) if so, the action proposed to be taken in the matter?

**The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan):** (a) and (b). No, Sir. There was some delay in the airlift of our troops which reached Dar-es-Salaam on board the USNS 'Blatchford' on 8th April, 1961. The delay was caused by a lack of adequate aircraft and of aviation fuel. Most of our troops, equipment and supplies which went by the 'Blatchford' have, however, been safely transported by air to the Congo and the airlift of a small balance that remains is expected to be completed shortly.

**Shri D. C. Sharma:** May I know how the recent developments of the Congo are bound to affect the functioning of our Indian contingent there?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** That is a large question, Sir, which I can hardly deal with in answer to this brief question. Further, it is a question with which it is not easy for me to deal. Many developments have taken place and are taking place. They are not directly connected with the presence of the Indian contingent there, but other factors. It really becomes a question of my giving a history almost of the recent developments in the Congo. Anyhow, directly our people are not concerned.

**Some hon. Members** *rose*—

**Mr. Speaker:** Let us go to the next question. Airlifting is being done.

**Shri Kamalnayan Bajaj:** Sir, if you will permit me....

**Mr. Speaker:** No, Sir. The Congo situation is not before us. The question relates merely to the question of airlifting of troops. That has been answered.

**River Feni**

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*1849. **Shri Ram Krishan Gupta:**
**Shri Assar:**
**Shri Vajpayee:**
**Shri Subiman Ghose:**

Will the **Prime Minister** be pleased to refer to the reply given to Starred Question No. 800 on the 8th December, 1960 and state:

(a) whether Government have received any reply from Pakistan Government regarding prevention of the use of river Feni;

(b) if so, the nature of reply received; and

(c) further action taken or proposed to be taken in this regard?

**The Parliamentary Secretary to the Minister of External Affairs (Shri J. H. Hazarika):** (a) Yes, Sir.

(b) and (c). A tentative working arrangement has been arrived at to ensure the use of the river by the nationals of both India and Pakistan pending final settlement of the Feni River dispute.

**Shri Ram Krishan Gupta:** May I know what steps are being taken for a final settlement of this problem? May I know whether this matter will be discussed at the coming conference in connection with the Farakka Barrage?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** These are, Sir, some very ancient disputes, long before Pakistan was thought of. In fact, these disputes go back to the 19th century between the Tripura Durbar and the Bengal Government. They continue in some way or the other even now. I cannot say when these will be finally settled. For the moment we have come to some temporary arrangement.

**Shri Hem Barua:** Sir,....

**Mr. Speaker:** Let us go to the next question.

**Shri Hem Barua:** I have written to you about Question 1853.

**Mr. Speaker:** That is all right.

**Distribution of Waste Land**

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*1850. { **Shrimati Maimoona Sultan:** **Shrimati Ila Palchoudhuri:**

Will the Minister of **Planning** be pleased to state:

(a) whether it is a fact that a proposal for distribution of culturable waste land among the landless agricultural labour in India for inclusion in the Third Five Year Plan Programme is under the consideration of Government of India; and

(b) if so, full details of the proposal?

**The Deputy Minister of Planning (Shri S. N. Mishra):** (a) and (b). Distribution of culturable waste lands has been one of the programme undertaken during the First and Second Five Year Plans for the benefit of landless agricultural workers. Since 1951 about 7·8 million acres of culturable waste lands have been distributed in the various States. The programme will be carried further under the Third Plan.

The Planning Commission has, however, under consideration a proposal, put forward by a special sub-committee of its Land Reform Panel, for distribution of 50 lakh acres of land to 7 lakh families of landless agricultural workers. This would consist of culturable waste lands, Bhoodan and Gramdan lands and surplus lands above the ceiling limit.

**Shrimati Maimoona Sultan:** In view of the fact that the policy of the Government is to switch over to co-operative farming, may I know whether these newly reclaimed land will be allotted to individual farmers or to co-operative societies? May I also know what is the minimum or optimum acreage that has been fixed for these co-operative socities?

**Shri S. N. Mishra:** Co-operative farming is also contemplated in certain circumstances.

**Shri Kodiyan:** From the statement I find that so far 7·8 million acres have already been distributed. I want to know where this land has been distributed? I want to know whether it has been distributed to agricultural labour or to co-operative societies. I also want to know the state-wise break-up of distribution of this land.

**Shri S. N. Mishra:** I have not been able to get the full question.

**Mr. Speaker:** He wants to know where these 7·8 million acres were distributed, whether to individual farmers or to co-operative societies. He also wants to have a statement of the break-up of this over the various States.

**Shri S. N. Mishra:** The break-up is not yet available with the Planning Commission. If it is the desire of the House, we shall supply that information.

**Shrimati Maimoona Sultan:** It is just a matter of policy of the Government. It is a policy that is likely to be pursued by the Government. I want to know whether the newly acquired land is likely to be allotted to individual farmers or whether Government propose to give it to co-operative societies. There is no question of any break-up, whatsoever.

**Shri S. N. Mishra:** As I tried to explain, that depends upon the circumstances. By 'circumstances' I mean, that in some areas the land may be in compact blocks where it would be possible to have co-operative societies, and at other places it may be that the land is available in small bits and there it may be somewhat difficult to have co-operative farms. It all depends upon the circumstances.

**Shri Thirumala Rao:** In view of the fact that one of the members of the Planning Commission made a policy statement recently that landless labour will be given the surplus land in the country, does the Planning Commission co-ordinate with the Community Development Ministry in implementing this plan; if so, may I know to what extent?

**Shri S. N. Mishra:** Recently the Central Advisory Committee on Agricultural Labour has been formed, and probably the hon. Member is referring to the statement made by the Member, Agriculture, Planning Commission in that Central Advisory Committee. The function of the Central Advisory Committee is to co-ordinate the activities dispersed in different ministries relating to Agricultural labour.

**12.00 hrs.**

**Shri Basappa:** May I know whether in the matter of distribution of culturable waste lands priority will be given to co-operative farming societies formed by members belonging to the Scheduled Castes and Scheduled Tribes?

**Shri S. N. Mishra:** Yes, Sir.

**Shri Tyagi:** As there are already quite a lot of uneconomic holdings in the country, which is resulting in waste of resources, will the Government see to it that no new uneconomic holdings are created?

**Shri S. N. Mishra:** That is an important consideration to be kept in mind.

**Shri K. N. Pande:** The hon. Minister has referred to the advisory committee. Is it a fact that the advisory committee decided to give lands to co-operative societies of landless workers instead of to individuals?

**Shri S. N. Mishra:** The hon Member is a member of that committee. So, he would be in a better position to know that. I did not happen to be present in that committee's meeting. I cannot say that there has been a recommendation of this kind that co-operative societies should be formed in every case; I do not think so.

**Shri N. R. Muniswamy:** May I know the total available cultivable and culturable waste land in India for distribution?

**Shri S. N. Mishra:** On a very rough estimate, out of 98 million acres of waste land, the cultivable waste land seems to be of the order of 54 million acres.

**श्री विभूति मिश्र :** मैं जानना चाहता हूं कि कितनी ऐसी जमीन है जो कि रकैटर्ड है और जहां पर कोआपरेटिव फार्मिंग नहीं हो सकती है । यहां पर कितने कितने एकड़ एक किसान को आप देते हैं ?

**श्री स्या० नं० मिश्र :** इसीलिये तो मैंने अभी कहा कि बहुत सी जगहों में बहुत छोटी छोटी इकाइयां है, छोटी छोटी जोतें हैं और उनके बारे में क्या किया जायेगा, यह सब व्यावहारिक बातें हैं, जिन पर आगे और विचार किया जायेगा ।

**Shri B. K. Gaikwad:** A part of my question has already been answered. When lands are giving to the co-operative societies, what is the proportion of land allotted per individual?

**Shri S. N. Mishra:** I would submit that it all depends upon circumstances. These are matters of detail, and these matters of detail would be decided, in most cases, by the State Governments. Of course, the Central Advisory Committee will have a say in the matter.

**Shri Yajnik:** May I know the time that will be taken for distribution of available waste land among the landless labour?

**Shri S. N. Mishra:** It is going to be a long process and, if everything goes on well, by the end of the Third Plan we will have distributed about 13 million acres of all kinds of land.

**Mr. Speaker:** Now the question hour is over.

**Shri Hem Barua:** I have sent you a note about Question No. 1853.

**Mr. Speaker:** Hon. Members will notice that I have observed earlier that if hon. Members feel a certain question is important and should be taken up, they may send me a slip.

**Shri Hem Barua:** I have sent the slip.

**Mr. Speaker:** Shri Hem Barua wanted me to take up question No. 1853. But I find that some other questions are more important. Of course, he sends word to me on the basis of what he considers important. But I weighed the relative importance and then found that the question of distribution of waste lands is one in which the whole House is interested. Therefore, I allowed that question to be put. I do not extend time merely because an hon. Member has written to me to take up a question. If there is time before 12 O'Clock, I allow that question priority over other questions; but I do not allow it to be taken up after 12 O'Clock. Now 12 O'Clock is over. We will take up the Short Notice Question.

## SHORT NOTICE QUESTION

### Recovery of Loans from Displaced Persons in West Bengal

**S.N.Q. 15. Shri Ajit Singh Sarhadi:** Will the Minister of **Rehabilitation and Minority Affairs** be pleased to state:

(a) whether the attention of the Government has been drawn to the news appearing in *Statesman* dated 22nd April, 1961 conveying that the realisation from the displaced persons in West Bengal given loans out of Central Government Funds through the West Bengal Government has been to the extent of 4 per cent only so far;

(b) if so, what is the total amount invested by the Central Government and the total amount due by this time;

(c) whether it is a fact that West Bengal Government has not been made responsible and does not share the loss in their loan, when other State Governments shared 50-50 loss when loans were being given to West Pakistan displaced persons; and

(d) if so, the reasons therefor and what steps are being taken to realise the amounts due?

**The Deputy Minister of Rehabilitation (Shri P. S. Naskar):** (a) Yes.

(b) The amount of loans advanced by the Central Government to the West Bengal Government up to 31st March, 1961 is Rs. 54.10 crores and the amount due for repayment on the said date was Rs. 28.79 crores. The amount recovered, however, is only Rs. 1.63 crores.

(c) (i) The losses in respect of loans advanced by the Government of India to all the State Governments for rehabilitation of displaced persons from East Pakistan are:—

(a) to be shared equally between the Central and the State Governments concerned in respect of displaced persons who migrated from East Pakistan before 1st January, 1950; and

(b) to be entirely borne by the Government of India in respect of displaced persons who migrated on or after 1st January, 1950.

(ii) As regards the displaced persons from West Pakistan all losses in respect of loans advanced by the Government of India to the State Governments for their rehabilitation are to be shared equally between the Government of India and the State Governments concerned, irrespective of their date of migration, except to the small extent modified under recommendation of the Second Finance Commission.

(d) Government of India had agreed to bear all *bonafide* losses in the recovery of loans in view of the inadequate financial resources of the State Governments concerned.

The question of recovery of loans has recently been reviewed by the Government of India in consultation with the Government of West Bengal, The State Government have ageerd to take effective steps to recover the dues. The States Government have also agreed to issue appropriate instructions to their District officers

to pay special attention for the recovery of loans. It has been decided that a committee of officers would be appointed by the State Government to examine the whole position including a scrutiny of the accounts of disbursements of loans maintained at sub-divisional and district headquarters. This committee will also look into the causes for the inadequate recovery in the past on the basis of examination of sufficient number of individual cases and make suggestions about the steps that should be taken in future.

**Shri Ajit Singh Sarhadi:** Out of the total investment of Rs. 54 crores in loans, what is the amount which was given before 1st January 1950, in which the West Bengal Government and the Government of India share the loss, and what is the amount which was given after 1st January, 1960 in which the West Bengal Government do not share the loss?

**The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna):** I have not got the figures with me, but the amount of loans given before 1950 is likely to be very small, because it was only afterwards, during the last ten years, the question of rehabilitation has been taken up.

**Shri Ajit Singh Sarhadi:** May I know whether any directions were issued to the West Bengal Government that they should take surety or sureties as security before disbursing these loans, as was done in the case of disbursement of loans to the West Pakistan refugees, and whether those directions were complied with by the West Bengal Government?

**Shri Mehr Chand Khanna:** The loans are advanced under an Act passed by the Government of West Bengal. It is for them to see that necessary precautions are taken. The loans are given according to the terms of the Act and recoveries are made.

**Shri Ajit Singh Sarhadi:** My question was whether any condition was stipulated in the matter of payment of loans to the West Bengal refugees that there must be a surety before the loan is given and whether that direction was complied with by the West Bengal Government?

**Shri Mehr Chand Khanna:** I cannot answer that question off hand. I can only reiterate that loans were given according to the pattern laid down by the Government of India, and that pattern has to be followed by every State Government.

**Shrimati Renuka Ray:** Is it a fact that the loans given to West Pakistan refugees have been largely off-set against claims and in the east there are no such claims and no recoveries are delayed and that is why arrangement with the West Bengal Government is different?

**Shri Mehr Chand Khanna:** The evacuee property law does not cover the eastern region. Under the Nehru-Liaquat Agreement, every DP migrant from east Pakistan has a right to sell his property and all that. But, in the western side the position is entirely different. So, we have given facilities to the displaced persons to pay off loans against compensation. Again I may add that claims to the extent of roundabout Rs. 500 crores were filed and the compensation paid is only about Rs. 150 crores.

**Shri A. C. Guha:** Would the Government take into consideration while trying to realise the dues that those refugees who had to be rehabilitated in West Bengal have not been properly rehabilitated on account of the fact that they have not been given adequate land even for the sustenance of their family and that loans were distributed in such driblets that no small-scale industry could have possibly been set up by those refugees?

**Shri Mehr Chand Khanna:** The poor recovery is indicative of the fact that loans have not been realised. I believe it is a fact that in the early stages loans were given in driblets. But during the last seven years when

I have been there loans have not been given in driblets. Instructions were issued to the State Government that they should give the amount in one or two instalments. As regards relation, I have already answered the question.

**Shri A. C. Guha:** As regards agriculture land for agricultural refugees is the Government satisfied that adequate amount of land was given or that the land that was proposed to be given was given to them? In fact, even half of that land was not given to them.

**Shri Mehr Chand Khanna:** The formulation of the scheme is the concern of the State Government and the implementation is also the concern of the State Government. As and when proposals are received they are sanctioned by the Government of India and implemented by the State Government.

**Shri Tyagi:** Blindfoldedly.

**Shri Mehr Chand Khanna:** It is a fact that in West Bengal there is scarcity of land and there are cases in which I also feel that proper economic holdings have not been allotted. We have a population in West Bengal which can easily be called partially rehabilitated.

**Shrimati Renuka Ray:** The hon. Minister said that there is a difference between the eastern and the western regions and that because of the difference the eastern and the western regions have been treated somewhat differently, but he has not given a reply to my point. Is it not a fact that as the refugees in the East have no claims against which to offset loans it is not easy to repay? In fact, it is impossible to realise some of these loans which should have been given as grants.

**Mr. Speaker:** The hon. Member is arguing the case of those people there. The simple question was as to how much loan had been granted, how much had been recovered and what was the oustanding. He has also explained that unlike the refugees from West Pakistan it is open to these people to sell their property and realise whatever amount can be had. Further than this it is a question of argument.

**Shri Prabhat Kar:** Is it not a fact that the majority of the refugees from East Pakistan is found to have on an enquiry a *per capita* income of Rs. 7 to Rs. 10 and therefore they are not in a position to pay back any loan which was granted to them for purely erecting their houses or for starting a business?

**Shri Mehr Chand Khanna:** The *per capita* expenditure in the eastern region now is more than in the western region.

**Shri A. C. Guha:** The hon. Minister has referred to the Nehru-Liaquat Ali Pact. But is he not aware that the particular clause in the Nehru-Liaquat Ali Pact about the sale or possession of property in East Bengal is practically a dead letter now and that it is not possible for any East Bengal refugee to go there and have anything out of his property there?

**Shri Mehr Chand Khanna:** It is a question of asking for my opinion. The condition of the Hindus in the eastern region, or for the matter of that in East or West Pakistan, is fully known to everybody.

**Shri A. C. Guha:** It is not a question of opinion nor is it a question of the minorities residing there.

**Mr. Speaker:** I am not going to allow this. A short notice question is intended only for eliciting information. He has given all the information. Evidently, hon. Members from West Bengal want the whole amount to be written-off on account of the various difficulties. I have no objection to that if the House agrees. Not only this amount but the other amounts also can be given. But this opportunity ought not to be used for the purpose of persuading the Government. It is not a resolution; it is only a question. The question has been answered fully.

**Shri D. C. Sharma:** From the reply of the hon. Minister I gather that not even 2 per cent of the loans have been recovered. May I know whether those very methods will be adopted for the recovery of these loans which were adopted in the case of recovery of loans from people from West Pakistan?

**Shri Mehr Chand Khanna:** I have already said that loans are advanced by the State Government. The Government of India does not advance loans directly to the displaced persons. Perhaps we might say that the State Governments in the western region had been a little more vigilant because there the losses had to be shared on the basis of 50-50. In the eastern region all losses are to be borne by the Government of India and so the same amount of effort may not have been made. Then, one or two more factors have to be taken into consideration and they are these. In the eastern region, in fact, there has been only one-way traffic. The strain on the Government of West Bengal and on the States in the eastern region has been much higher as compared to that in the western region. These may be some of the contributing factors. But I have no hesitation in saying that not much effort has been made for the realisation of these loans.

**Shri Tyagi:** It is a matter involving crores of rupees, that is, the loss which the Central exchequer has to bear. Why was the sanction of Parliament not taken when this discrimination was being made and the authority was being given to the Government of West Bengal to distribute loans without their agreeing to share the liability of losses? It means that we have given a free chit to them to distribute them in any manner they like.

**Shri Mehar Chand Khanna:** This arrangement was arrived at in 1950 in the early stages and the consideration that then weighed with the Government of India was that the financial condition of the State Government was such that they were not expected to bear any responsibility for the repayment of these loans. It is now a matter nearly eleven years old. It was long before I was born.

**Shri Tyagi:** In that case why did the Government of India not agree to give a grant outright rather than to give loans?

**Mr. Speaker:** The hon. Member is arguing. Shri Sarhadi.

**Shri Ajit Singh Sarhadi:** May I ask if the Central Government has considered the proposal to have a probe into how far the guarantee, surety or expectation of realisation of this huge amount of Rs. 54 crores is there?

**Shri Mehar Chand Khanna:** This matter has very recently been discussed. My hon. colleague has made a full statement about it. Again, the agency of the State Government shall have to be untilised for the realisation of these loans. I have no agency of my own. I have depend upon the State Government.

**Some Hon. Members** *rose*—

**Mr. Speaker:** Calling attention notice.

**Shri D. C. Sharma:** Why did the hon. Minister not inform the House about these loans?

**Mr. Speaker:** I have proceeded to another matter.

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## WRITTEN ANSWERS TO QUESTIONS

### Boundary Dispute Between Nagaland and Assam

***1837. Shri P. C. Borooah:** Will the Prime Minister be pleased to state:

(a) whether any boundary dispute has taken place in between the Nagaland and the Sibsagar District in Assam;

(b) if so what precisely is the dispute in question; and

(c) what action has been taken for the fixation of the boundary?

**The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):** (a) to (c). The Naga Delegation which came to Delhi in July last had, in the course of discussions, referred to certain doubts regarding the precise boundary between the Naga Hills Tuensang Area and the districts of Sibsagar and Nowgong.

It is evident that the boundary should, in any case, be demarcated and clearly defined.

No action has been taken so far for the demarcatioin of the boundary due to the pre-occupation of the local authorities with law and order problems.

**National Sample Survey Work**

***1839. Shri H. N. Mukerjee:** Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that there continue to be doubts and uncertainties regarding National Sample Survey work for 1961-62 being done by the Indian Statistical Institute;

(b) if so, what are the reasons therefore, and what is at present position; and

(c) whether the Indian Statistical Institute faces the danger of being unable to function as an institution of national importance in view of uncertainties regarding its work and its future?

**The Prime Minister and the Minister of External Affairs (Shri Jawaharlal Nehru):** (a) I am not aware of any doubts and uncertainties regarding the work which the Indian Statistical Institute will do in 1961-62 in connection with the Nationla Sample Survey. The programme of work is being settled in the usual way with the Institute.

(b) and (c). Do not arise.

**Employees' Provident Funds Act, 1952**

***1845. Shri L. Achaw Singh:** Will the Minister of **Labour and Employment** be pleased to state:

(a) whether the Employees' Provident Funds Act, 1952 applies to Manipur Administration; and

(b) if so, the categories of Government employees to whom the Act applies?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) Yes.

(b) The Act applies to the establishments engaged in any of the industries covered under the Act, employing 20 or more persons and it covers the employees whose basic wages including dearness and retaining allowance do not exceed Rs. 500 per mensum.

**Wage Board for Newspapers Industry**

***1851. Shri Shree Narayan Das:**
**Shri Radha Raman:**
**Shri Ram Krishan Gupta:**
**Shrimati Maimoona Sultan:**

Will the Minister of **Labour and Employment** be pleased to state:

(a) whether Government have considered the proposal to set up a wage board for the newspaper industry as a whole; and

(b) if so, with what result?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) and (b). The suggestion made in this behalf was considered and the decision was that the Board need not be set up.

**Production of Fertilizers**

***1852. Shri P. C. Borooah:**
**Shri D. C. Sharma:**
**Shri Khushwaqt Rai:**

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether a U.S. firm has offered to produce fertilizers in India from liquid ammonia; and

(b) if so, what is Government's decision in this regard?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):** (a) A U.S. firm has offered to set up fertilizer plants in India utilising liquid ammonia to be produced in the Persian Gulf area from the gases available there.

(b) The matter is under consideration.

**Pondicherry**

*1853. **Shri Hem Barua:** Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that the State of Pondicherry is at present experiencing a lot of administrative difficulties due to its constitutional position being not decided;

(b) if so, what are these administrative difficulties and how do Government propose to meet the situation;

(c) whether any demand has been received from the people of Pondicherry to the effect that pending the *de jure* transfer of the State the constitutional provisions of India be extended to that area immediately; and

(d) if so, the reaction of Government thereto?

**The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):** (a) Government are not aware of administrative difficulties in the State of Pondicherry except for certain minor problems.

(b) These problems arise mainly from the existence of ex-French and post-merger employees having different conditions of service; the French judicial system being different from the Indian judicial system and the non-applicability of Indian laws except when specifically applied to Pondicherry. While Government have these problems under constant review, certain anomalies are bound to exist till the *de jure* transfer of Pondicherry takes place.

(c) Yes.

(d) Government are unable to extend the constitutional provisions of India to the State of Pondicherry till *de jure* transfer.

**Allocation of Foreign Exchange for Imports**

*1854. **Shri D. C. Sharma:**
**Shri P. C. Borooah:**
**Shri Khushwaqt Rai:**

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether a further cut of Rs. 30 crores in the allocation of foreign exchange for imports over the last year's allocation, has been made by Government for the ensuing year;

(b) if so, the reasons therefor;

(c) how this reduction will be spread over the different classes of items of imports; and

(d) the effect of this reduction on the current development works in the country?

**The Minister of Industry (Shri Manubhai Shah):** (a) to (d). No, Sir. It will be difficult to make any estimate of the amount of allocation of foreign exchange as it will relate to and will depend upon the licensing to be done to the actual users on an industry-wise basis.

**Working Group on Textile Industry**

*1855. **Shri Ram Krishan Gupta:**
**Shri Kodiyan:**
**Shri Pangarkar:**
**Shri S. M. Banerjee:**

Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No. 688 on the 5th December, 1960 and state:

(a) whether Government have considered the recommendations of the working group on textile industry regarding modernisation of textile mills; and

(b) if so, the results thereof?

**The Minister of Industry (Shri Manubhai Shah)**: (a) Yes Sir.

(b) A copy each of the Report submitted by the Working Group for Cotton Textile Industry and the Government's Resolution thereon has already been placed on the Table of the Lok Sabha.

### Export of Indian Engineering Goods

*1856. **Shri Hem Barua:**
**Shri Ram Krishan Gupta:**

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that the delegation which toured West Asian and European countries on behalf of the Engineering Export Promotion Council has expressed the view that Indian Engineering goods are popular in the Middle East and can successfully compete in foreign markets and thus help in earning foreign exchange;

(b) if so, the reaction of Government thereto; and

(c) the steps taken or proposed to be taken to increase export in this regard?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra)**: (a) to (c). The recommendations of the delegation which returned to India on 30-3-1961 will be considered on receipt of its report.

### Yarn Bank

***1857. Shri P. C. Borooaah**: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether a yarn bank is proposed to be set up for making yarn available for export promotion scheme; and

(b) if so, what precisely would be the constitution and functions of the yarn bank?

**The Minister of Industry (Shri Manubhai Shah)**: (a) and (b): A proposal is under consideration to make art silk warn available under advance licensing for export promotion.

### Hartal by the All India Radio Merchants' Association

*1858. **Shri D. C. Sharma:**
**Shri P. C. Borooah:**

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the attention of Government has been drawn to the country-wide hartal called by the All India Radio Merchants' Association on the 18th April, 1961;

(b) if so, what are their demands; and

(c) what is Government's reaction thereto?

**The Minister of Industry (Shri Manubhai Shah)**: (a) to (c). No official details about country-wide hartal called by the All India Radio Merchants' Association on the 18th April, 1961 are available. It appears that a number of radio dealers and manufactures in the capital observed hartal in protest against the excise duty imposed on radio sets in the current years's budget. Later at a meeting held at the Town Hall the radio dealers asked the Government to withdraw the levy and save small scale traders from harasment.

Under item 33A of the Central Excise Tariff as introduced by the Finance Bill 1961 a duty 20% *ad-valorem* has been imposed on wireless receiving sets all sorts, including Transistor sets and Radiograms with or without Loudspeaker. With a view to protect the interests of small scale manufacturers, wireless receiving sets the assessable value of which does not exceed Rs. 150.00 each, have been completely exempted from the duty. Similarly sets whose value exceeds Rs. 150.00 but does not

exceed Rs. 300.00 each, have been exempted from half of the total duty leviable thereon.

With the rapid improvement of the standard of living and also of the increased availability of electric facility which is an important factor for the development of the industry it has an ambitious programme and has a good future and can bear a reasonable execise duty.

**Discrimination against Indian Troops in Congo**

*1859. **Shrimati Ila Palchoudhuri:**
**Shri Harish Chandra Mathur:**
**Shri Ram Krishan Gupta:**
**Shri D. C. Sharma:**
**Shri Nath Pai:**
**Shri P. C. Borooah:**

Will the **Prime Minister** be pleased to state:

(a) whether Government of India's attention has been drawn to an agreement reported to have been signed between the United Nations and Mr. Moise Tshombe, President of Katanga (Congo) which allegedly discriminates against Indian troops under the U.N. Command in Congo *vis-a-vis* their entry into the State of Katanga;

(b) if so, full details of the agreement; and

(c) the Government of India's reaction thereto?

**The Deputy Minister of External Affairs (Shrimati Lakshmi N. Menon):** (a) to (c). As far as the Government of India is aware there is no such agreement. The position in regard to troops of any nationality placed at the disposal of the United Nations is that such troops temporarily lose their national identity and became U.N. forces. The U.N. retains the right to move any contingent of its forces in the Congo to any part of the country for the purposes of U.N. operations. The question of reaching any agreement with factions in the Congo about the deployment of U. N. forces, therefore, does not seem to arise.

**Surveys of Employment of Graduates**

4250. **Shri Pangarkar:**
**Shri Ram Krishan Gupta:**
**Shri Ram Shankar Lal:**
**Shri D. C. Sharma:**

Will the **Minister of Labour and Employment** be pleased to refer to the reply given to Unstarred Question No. 1046 on the 30th November, 1960 and state the progress since made in survey of employment of graduates?

**The Deputy Minister of Labour (Shri Abid Ali):** Replies have been received from about 7,450 graduates. The tabulation of data is in progress.

**Export of Sarsaparilla**

4251. **Shri R. Narayanasamy:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) for what purpose sarasparilla is used in India;

(b) the foreign countries to which it is exported; and

(c) how much sarsaparilla has been exported during 1955 to 1960 year-wise and country-wise?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):** (a) Sarsaparilla is used in certain proprietary medicines, some of which contain potassium iodide, and is sold as blood purifier.

(b) and (c): A statement showing country-wise and year-wise exports of sarsaparilla roots, extracts and preparations from 1957 to 1960 is attached/laid on the Table of the House. [*See* Appendix VI, annexure No. 47]. Exports of sarsaparilla and its products were not recorded separately in official statistics prior to 1957.

**Manufacture of Capsule Covers.**

**4252. Shri Kumbhar:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether capsule covers are manufactured in India;

(b) if so, where;

(c) the quantity and cost of the capsule covers imported annually during the Second Five Year Plan;

(d) the names of the countries from where these were imported; and

(e) the total quantity required annually and the cost thereof?

**The Minister of Industry (Shri Manubhai Shah):** (a) and (b). Yes, Sir. Soft gelatine and hard gelatine capsules are produced in Bombay.

(c) to (e). The present annual consumption of hard gelatine capsules is of the order of 200 million capsules valued at Rs. 20 to 25 lakhs.

As this item has not been shown specifically in the Trade classification of the country, import statistics are not available. However the major portion of our requirements of hard gelatine capsules are still being imported mainly from U.S.A.

**Accrylic Plastic Sheets**

**4253. Shri Kumbhar:** Will the Minister **of Commerce and Industry** be pleased to state:

(a) the quantity and cost and the country from where Accrylic Plastic sheets were imported annually during the Second Five Year Plan;

(b) whether Government propose to manufacture such sheets in the country;

(c) if so, the nature of the scheme and

(d) the various beneficial uses experimented so far in the country with such sheets?

**The Minister of Industry (Shri Manubhai Shah):** (a) Separate information in regard to such sheets is not available.

(b) and (c). Government would encourage such a scheme if submitted. Government does not propose to put up such a plant themselves.

(d) These have been used for industrial roofflightings, transparent light fittings, automobile and air craft components etc.

**Political Officer in Sikkim.**

**4254. Shri Ram Krishan Gupta:** Will the **Prime Minister** be pleased to refer to the reply given to Unstarred Question No. 1270 on the 5th December, 1960 and state:

(a) whether Government have considered the findings of the investigations undertaken in regard to the alleged irregularities in the office of Political Officer, Sikkim; and

(b) if so, the results thereof?

**The Prime Minister and Minister of External Affairs, (Shri Jawaharlal Nehru):** (a) Yes, Sir.

(b) The Special Police Establishment who investigated into the allegations recommended departmental action against an officer of the Political Office, Sikkim, on charges of certain irregularities. The officer has already retired and it has been decided, after full consideration, that in the circumstances no useful purpose would be served by pursuing this matter further.

**Small Scale Industries**

**4255. { Shri Ram Krishan Gupta: Shri Pangarkar:**

Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Starred Question No. 693 on the 5th December, 1960 and state:

(a) whether Government have considered the recommendations of the

Estimates Committee to reorganise various Government departments relating to small scale industries; and

(b) if so, the result thereof?

**The Minister of Industry (Shri Manubhai Shah)**: (a) and (b). The recommendations of the Estimates Committee regarding review of the existing set up of the organisations relating to Small Scale Industries have been accepted by the Government. A committee on the lines suggested is being set up.

**Aluminum Smelter at Mettur**

4256. { **Shri Ram Krishan Gupta:** **Shri Pangarkar:**

Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Unstarred Question No. 1282 on the 5th December, 1960 and state:

(a) whether the negotiations of technical and financial collaboration with M/s. Montecatins of Italy have been finalised for the setting up of the aluminium smelter at Mettur; and

(b) if so, the results thereof?

**The Minister of Industry (Shri Manubhai Shah)**: (a) and (b). Yes Sir.

The Government of India have approved the technical and financial collaboration proposals of the Madras Aluminium Company with M/s. Montecatins of Italy in connection with the setting up of an aluminium smelter at Mettur on the following basis:—

(1) Allotment of free equity shares of the Indian Company to the Ltalian firm in consideration of technical know-how . . . Rs. 45 lakhs.

(2) Payment in Italian lires to the foreign firm:

(a) towards engineering fees, drawings, assistance in purchase of plant and other allied services—not exceeding Rs. 48 lakhs.

(b) cost of foreign experts, contractors and agencies for the construction, supervision and other services, charges etc. not exceeding—Rs. 35 lakhs.

In addition to the above, the rupee out-of-pocket expenditure on Montecatini personnel in India is estimated at—Rs. 15 lakhs.

The total sum of Rs. 75 lakhs (2 a & b above) is permitted to be accounted against share certificates of the Indian company in favour of the Italian Company as and when bills are presented to the Indian Company for supply of designs, for engineering fees and reimbursement of out of pocket expenses etc.

**पंजाब के पहाड़ी क्षेत्रों के लिये परामर्शदात्री समिति**

५२४७. { **श्री भक्त दर्शन :** **श्री वी० चं० शर्मा :**

क्या योजना मंत्री २२ नवम्बर, १९६० के तारांकित प्रश्न संख्या ३३१ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि पंजाब के पहाड़ी क्षेत्रों के लिए पंजाब सरकार ने जो परामर्शदात्री समिति नियुक्त की थी, उसने अपने कार्य में अब तक क्या प्रगति की है ?

**योजना उपमंत्री (श्री इया० नं० मिश्र)**: राज्य के पहाड़ी क्षेत्रों की तीसरी पंचवर्षीय योजना के मसौदे पर विचार करने के अलावा, इस समिति ने पहाड़ी क्षेत्रों का पुन: सीमांकन भी किया है और अब इसमें अम्बाला तथा होशियारपुर का अधः पर्वतीय क्षेत्र भी शामिल हो गया है । यह निश्चय किया गया है कि तदर्थ समिति के स्थान पर पहाड़ी क्षेत्रों के लिए स्थायी सलाहकार समिति

बनाई जाय जिसमें इन क्षेत्रों को भी प्रतिनिधित्व दिया जाये । तदर्थ समिति की सिफारिशों के अनुसार पहाड़ी क्षेत्रों के लिए एक पृथक विकास आयुक्त की नियुक्ति कर दी गयी है ।

**पंजाब के पहाड़ी जिलों का विकास**

४२५८. { **श्री भक्त दर्शन :**
**श्री दलजीत सिंह :**
**श्री दी० चं० शर्मा :**

क्या योजना मंत्री यह बताने की कृपा करेंगे कि पंजाब के पर्वतीय जिलों के विशेष विकास के लिए वर्ष १९६१–६२ में क्या व्यवस्था की जा रही है ?

**योजना उप मंत्री (श्री इया० नं० मिश्र) :** १९६१–६२ के विकास कार्यक्रम पर पहाड़ी प्रदेशों के लिए पुनर्गठित परामर्श समिति द्वारा शीघ्र ही विचार किया जायेगा ।

**सरकारी कर्मचारियों के लिये मकान**

४२५९. **श्री म० ला० द्विवेदी :** क्या **निर्माण, आवास और संभरण** मंत्री एक ऐसा विवरण पटल पर रखने की कृपा करेंगे जिसमें ये जानकारी दी हुई हो :

(क) विभिन्न श्रेणियों के ऐसे कर्मचारियों की संख्या कितनी है जिन्हें दिल्ली में काम करते हुए १० वर्ष से अधिक समय बीत गया लेकिन अभी तक सरकारी मकान नहीं मिला है ; और

(ख) क्या सरकार उन लोगों के निवास की कोई विशेष व्यवस्था करेगी ?

**निर्माण, आवास और संभरण मंत्री (श्री अनिल के० चन्दा) :** (क) इस प्रकार के कर्मचारियों की, जो सामान्य समूह में स्थान पाने के हकदार हैं, संख्या १ जनवरी, १९६१ को ६,११६ थी ।

(ख) स्थान का नियतन (एलौटमेंट) स्थान की किसी खास श्रेणी में किसी कर्मचारी की 'अग्रता-तिथि' के आधार पर किया जाता है । जब इस समय बन रहे नये मकानों का निर्माण पूरा हो जायेगा, तब इनमें से बहुत से कर्मचारियों को मकान मिलने की बारी आ जाने की संभावना है ।

**कोयला-क्षेत्रों में मलेरिया**

४२६०. **श्री म० ला० द्विवेदी :** क्या **श्रम और रोजगार** मंत्री यह बताने की कृपा करेंगे कि :

(क) पिछली बरसात में सरकार ने मलेरिया की रोकथाम के लिये कोयला-क्षेत्रों में क्या प्रबन्ध किया था ;

(ख) क्या यह सच है कि 'मलेरिओल' के ठीक समय पर न मिलने के कारण कुछ क्षेत्रों में मलेरिया की रोकथाम न की जा सकी ; और

(ग) यदि हां, तो 'मलेरिओल' के ठीक समय पर प्राप्त न होने के क्या कारण थे ?

**श्रम और रोजगार तथा योजना उपमंत्री (श्री ल० ना० मिश्र):** (क) कृमिनाशक दवा छिड़की गई थी ।

(ख) जी नहीं ।

(ग) प्रश्न नहीं उठता ।

**कोयला-खनिकों की शिक्षा**

४२६१. **श्री म० ला० द्विवेदी :** क्या **क्या श्रम और रोजगार** मंत्री यह बताने की कृपा करेंगे कि :

(क) कोयला-खनिकों को शिक्षित बनाने के लिये सरकार ने इस साल क्या साधन अपनाये हैं ;

(ख) बालिग शिक्षा केन्द्रों के लिये जो फिल्म प्रोजेक्टर खरीदे जाने वाले थे, क्या वे खरीद लिये गये हैं ; और

(ग) यदि नहीं, तो विलम्ब के क्या कारण हैं ?

**श्रम और रोजगार तथा योजना उपमंत्री (श्री ल० ना० मिश्र)** : (क)

(१) कोयला खान कल्याण संस्था के बहुउद्देशीय संस्थानों और खनिक बस्ती के निकटवर्ती केन्द्रों में मजदूरों को साक्षर बनाने की कक्षाओं का आयोजन करना ।

(२) हर बालिग शिक्षा केन्द्र में एक वाचनालय, एक पुस्तकालय, और एक रेडियो की व्यवस्था ।

(३) शिक्षाप्रद फिल्में दिखाना और मैजिक लालटेनों से चित्र प्रदर्शन करना, और शराब की बुराइयों, सहकारिता आन्दोलन के फायदे आदि विषयों पर नाटक आदि का आयोजन करना ।

(४) विभिन्न विषयों पर व्याख्यानों का प्रबन्ध ।

(५) महत्वपूर्ण और ऐतिहासिक स्थानों की अध्ययन यात्राओं का प्रबन्ध ।

(ख) अभी तक नहीं ।

(ग) आयात की कठिनाइयां ।

**Small Scale Industries in Maharashtra**

**4262. Shri Pangarkar:** Will the Minister of **Commerce and Industry** be pleased to state how many industrial co-operative societies from Maharashtra have taken advantage of the Reserve Bank credit guarantee scheme for promotion of small scale industries during the year 1960-61 so far?

**The Minister of Industry (Shri Manubhai Shah):** No credit institution has so far taken advantage of the Reserve Bank Credit Guarantee Scheme in respect of advances granted to any Industrial Cooperative Society in the Maharashtra State.

**Rubber Prices**

**4263. Shri Rameshwar Tantia:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the prices of rubber have fallen steadily during the last few months;

(b) whether it is a fact that reduction in export duty has been announced by Ceylon; and

(c) if so, the effects of this on the Indian market?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):** (a) and (b). Yes, Sir.

(c) This is not likely to have any effect on the price of indigenous raw rubber which is controlled by Government.

**Running of Three Shifts in Textile and Engineering Industries**

**4264. Shri Morarka:**
**Shri Rajeshwar Patel:**

Will the Minister of **Commerce and Industry** be pleased to state:

(a) the percentage of industrial capacity utilised fully by running all the three shifts in textile and engineering industries; and

(b) what efforts are being made to require the entrepreneurs to run the three shifts?

**The Minister of Industry (Shri Manubhai Shah):** (a) and (b). By and large the capacity of most of the factories in India is well utilised. Wherever possible in textile, engineering and all other industries, in co-operation with labour, Industries make efforts to run the plant on two shifts and even three shifts. In textile industry a very large majority are running two shifts and a substanial number of units are even working in three shifts.

**Panel of Auditors for Public Sector Undertakings**

4265. { **Shri Nathwani:** / **Shri Morarka:**

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether a panel of auditors is prepared for appointments in respect of government companies under the administrative control of the Central Government and statutory corporations;

(b) if so, whether the list of such auditors will be laid on the Table;

(c) the criterion followed in compiling this panel; and

(d) the number of audits each such auditing firm has been given in the public sector together with the names of the enterprises and the fee paid during the year 1960-61?

**The Minister of Industry (Shri Manubhai Shah)**: (a) No.

(b) and (c). Do not arise.

(d) A statement regarding the auditors in government companies is laid on the Table of the House. [Placed in in Library. *See* No. LT-2923/61].

**ग्रामवासियों को सस्ते दामों पर स्वदेशी भाषाओं के पत्र-पत्रिकाओं का दिया जाना**

४२६६. **श्री विभूति मिश्र** : क्या **सूचना और प्रसारण** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने इस बारे में कोई निश्चय किया है कि संघ राज्य क्षेत्रों में प्रकाशित होने वाले स्वदेशी भाषाओं के पत्र-पत्रिकायें वहां की देहाती जनता को सस्ते दामों पर उपलब्ध हों ; और

(ख) यदि हां, तो वह क्या है ?

**सूचना और प्रसारण मंत्री (डा० केसकर)** : (क) और (ख) जी, नहीं, ऐसा कोई प्रस्ताव नहीं है ।

फिर भी, त्रिपुरा प्रशासन का शिक्षा निदेशालय बंगला में "साक्षर" और "ग्रन्थ-लोक" नाम की दो मासिक पत्रिकाएं प्रकाशित करता है जो मुफ्त बांटी जाती हैं और मणिपुर प्रशासन मणिपुरी भाषा में एक पाक्षिक पत्रिका प्रकाशित कर रहा है जिसकी कीमत ५ नये पैसे प्रति पत्रिका रखी गई है, ताकि आम जनता पत्रिका को खरीद सके ।

**जमींदारी उन्मूलन**

४२६७. **श्री विभूति मिश्र** : क्या **योजना मंत्री** यह बताने की कृपा करेंगे कि :

(क) ३१ जनवरी, १९६१ तक कौन कौन सी राज्य सरकारें अपने यहां जमींदारी का उन्मूलन कर चुकी हैं ;

(ख) क्या यह सच है कि जहां पर जमींदारी का उन्मूलन हुआ है वहां पर जमींदारों को उक्त अवधि तक उनकी भूमि का मुआवजा नहीं दिया गया है ;

(ग) क्या केन्द्रीय सरकार ने मुआवजा देने के लिए कोई निदेश दिया है ; और

(घ) यदि हां, तो उसका ब्यौरा क्या है ?

**योजना उप मंत्री (श्री श्या० नं० मिश्र)** : (क) राज्यों में (छोटी छोटी मिल्कियतों को छोड़ कर) जमींदारी प्रथा उन्मूलन के के लिए कानून पास किये जा चुके हैं और उन पर बहुत हद तक अमल भी किया गया है ।

(ख) मुआवजा, पुनर्वास अनुदान और मुआवजा की बकाया राशि पर दिए जाने वाले ब्याज की कुल राशि ६७० करोड़ रुपये होने का अनुमान है । उपलब्ध सूचना

के अनुसार मार्च, १९६० तक नकद तथा बांड के रूप में लगभग १६४ करोड़ रुपये दिये गये ।

(ग) और (घ) दूसरी पंचवर्षीय योजना में इस बात पर बल दिया गया था कि मुआवजे का भुगतान तेजी से किया जाय । तीसरी पंचवर्षीय योजना की रूपरेखा में फिर इस ओर ध्यान दिलाया गया है । मुआवजे का अन्दाजा लगाने में समय लगा है क्योंकि बहुत से राज्यों में मुआवजे की स्कीम से सम्बन्धित बिचौलियों की सम्पत्ति का ब्योरा उपलब्ध नहीं हुआ था । पिछले कुछ वर्षों में काफी कुछ किया गया है और राज्यों द्वारा मुआवजे का अन्दाजा लगाने तथा शीघ्र भुगतान के लिये विशेष कदम उठाये गये हैं । यह सूचित किया गया है कि आगामी दो-तीन वर्षों में अधिकतर मुआवजे की राशि के बारे में बांड जारी कर दिये जायेंगे । इस बीच अन्तरिम भुगतान किया जा रहा है ।

### Government Built Properties

**4268. Shri Ajit Singh Sarhadi:** Will the Minister of **Rehabilitation and Minority Affairs** be pleased to state the reasons that have actuated the Government not to put to auction Government built properties of the value of above Rs. 10,000 built for displaced persons, when these properties belong to evacuee pool under the Government policy and its price obtained would go to evacuee pool?

**The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna):** These properties vest in the President. It is entirely up to the Government whether to sell a property or retain its ownership. No loss will accrue to the Pool as the price of these properties will be credited to the Pool.

### Allotment of Quarters to Government Employees

**4269. Shri D. C. Sharma:** Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether it is a fact that a number of Government servants in Delhi and New Delhi have their own houses and they are therefore not entitled to allotment of quarters from the General Pool;

(b) if so, what is their number;

(c) whether it is a fact that such Government servants are also being paid house rent; and

(d) if so, how much and what is the justification for payment of house rent to them?

**The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda):** (a) Yes, an officer who, or a member of whose family, owns a house within six miles from the place of duty in Delhi/New Delhi, is not entitled to Government accommodation, provided the house is of a type in which he can reside consistently with his official position or without undue inconvenience to himself or the owner.

(b) The required information is being collected and the same will be laid on the Table of the House, as soon as possible.

(c) Yes.

(d) Such Government servants are being paid house rent allowance at the same rates as those allowed to other Government servants, who do not own houses and have not been allotted Government accommodation. If the concession of house rent allowance is not allowed, the affected persons may claim that they should be made eligible for allotment of Government accommodation. This will make the accommodation position more acute. Moreover, the Government want to encourage the officers to build their own houses and non-payment of house rent allowance will have the contrary effect.

**Production of Khadi in Orissa**

**4270. Shri Chintamoni Panigrahi:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) the quantity of Khadi produced in Orissa during 1960-61;

(b) whether any target for the production of Khadi has been fixed for Orissa for 1961-62;

(c) the total amount of money allocated to Orissa for encouraging Khadi production in that State during the Second Five Year Plan;

(d) whether the money allotted has been spent through the Khadi Board of the State; and

(e) whether it is a fact that the money allotted has not been properly spent?

**The Minister of Industry (Shri Manubhai Shah):** (a) On the basis of the reports so far received, the production of Khadi in Orissa State during 1960-61 was 5,17,101 square yards.

(b) Yes, Sir; the target is 11,00,000 square yards of Khadi.

(c) Rs. 100.03 lakhs were disbursed by the Khadi and Village Industries Commission to the State Board and different Registered Institutions in the Orissa State for the development of Khadi during the Second Plan period.

(d) and (e). The major portion of the amount disbursed was allotted to the State Board.

**मजदूर की मृत्यु**

४२७१. **श्री प० ला० बारूपाल :** क्या **श्रम और रोजगार** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि ११-३-६१ को मकान नं० ३३९-सी, डिफेन्स कालोनी में एक मजदूर की मृत्यु मार्बल पालिश करने की बिजली की मशीन चलाते हुए हो गई ; और

(ख) यदि हां, तो उसके परिवार को कितना मुआवजा मकान मालिक ने दिया है ?

**श्रम उप मंत्री (श्री आबिद अली) :** (क) जी हां । लेकिन दुर्घटना के कारण के बारे में अभी कोई निश्चय नहीं हो रहा सका है ।

(ख) यह इत्तला मिली है कि कर्मचारी मुआवजा कमिश्नर को मृत व्यक्ति के परिवार से मुआवजे की कोई दरख़ास्त प्राप्त नहीं हुई है ।

**भारतीय सांख्यकीय संस्था, कलकत्ता को दी गई सहायता**

४२७२. **श्री विभूति मिश्र :** क्या **प्रधान मंत्री** यह बताने की कृपा करेंगे कि :

(क) गत पांच वर्षों (१९५६-६१) में भारत सरकार ने भारतीय सांख्यकीय संस्था, कलकत्ता को प्रति वर्ष कितनी राशि दी; और

(ख) भारत सरकार ने जो सहायता दी है उसमें से कितना धन खर्च किया जा चुका है, वह किस प्रकार खर्च किया गया है और उससे क्या लाभ हुआ है ?

**प्रधान मन्त्री तथा वैदेशिक-कार्य मंत्री (श्री जवाहर लाल नेहरू):** (क) आवश्यक सूचना पटल पर रखे गये एक विवरण में है । [देखिये परिशिष्ट ६, अनुबन्ध संख्या ४८]

(ख) वार्षिक अनुदान की राशि में पचास लाख रुपया प्रतिवर्ष सरकारी नेशनल साम्पल सर्वे के लिये किये गये तकनीकी काम और सारणी करण के विषय में होता है और बाकी इस संस्था के विभिन्न विभागों में की जाने वाली शिक्षा अन्वेषण आदि के लिये एक सहायक अनुदान के रूप में दी जाती है । इस खर्च में शामिल है तकनीकी और अन्य कर्मचारियों की तनख्वाहें, आकस्मिक व्यय, और जमीन, भवन, उपकरण, व दफ्तर के

दफ्तर के उपस्कर आदि पर किया गया पूंजीगत खर्च। ऐसे खर्च और इस सांख्यकीय संस्था द्वारा किये गये काम व इस काम से हुआ लाभ का पूरा ब्यौरा इस संस्था के वार्षिक रिपोर्टों और अन्य प्रकाशनों में विस्तार रूप से दिया हुआ है जिनकी कापी संसद् की पुस्तकालय में है।

**Water Supply Scheme for Bokaro-Kargali Kathara Group of Collieries**

**4273. Shri T. B. Vittal Rao:** Will the Minister of **Labour and Employment** be pleased to state:

(a) whether any financial assistance has been given to National Coal Development Corporation from the Coal Mines Welfare Organisation for the water supply scheme for Bokaro-Kargali Kathara group of collieries;

(b) if so, what is the amount; and

(c) if the reply to part (a) above be in the negative, when the negotiations with the National Coal Development Corporation are likely to be concluded?

**The Deputy Minister of Planning, and Labour and Employment (Shri L. N. Mishra):** (a) to (c). The Corporation has been advised by the Welfare Organisation to send its water supply schemes with complete details. No such schemes have been received so far.

**Editorial Staff in Publications Division and All India Radio**

**4274. Sardar A. S. Saigal:** Will the Minister of **Information and Broadcasting** be pleased to state the details of the editorial staff, giving their qualifications, experience, scale of pay and nature of duties and minimum qualifications and experience required for each post, employed for the journals published by Publications Division and All India Radio?

**The Minister of Information and Broadcasting (Dr. Keskar):** The requisite information is being collected and will be placed on the Table of the House.

**Factory for manufacturing Spun Pipes in Madras**

**4275. Shri Aurobindo Ghosal:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether any factory has been set-up in Madras for manufacturing spun pipes; and

(b) if so, whether it is with foreign collaboration and the capital invested?

**The Minister of Industry (Shri Manubhai Shah):** (a) and (b). Four units have been licensed for the manufacture of Cast Iron Spun Pipes in Madras State. None of these units have established production so far. One unit has forwarded proposals for foreign collaboration which are under consideration.

**निष्क्रान्त सम्पत्ति**

४२७६. **श्री पहाड़िया :** क्या **पुनर्वास तथा अल्प संख्यक कार्य** मन्त्री यह बताने कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार ने २२ मार्च, १९५९ को एक प्रेस विज्ञप्ति जारी की थी जिसमें कहा गया था कि १०,००० रुपये से कम मूल्य की जिस निष्क्रान्त सम्पत्ति पर हरिजन कब्जा किये हुये हैं वह सरकार द्वारा निर्धारित मूल्य वसूल करके उन्हीं के नाम कर दी जाये;

(ख) यदि हां, तो क्या सरकार ने इस इस विज्ञप्ति के अन्तर्गत कुछ हरिजनों को सम्पत्ति का मालिक बना दिया है; और

(ग) यदि नहीं तो इसमें क्या कठिनाइयां हैं और उन्हें दूर करने के लिये क्या क्या कार्यवाही की जा रही है ?

**पुनर्वास तथा अल्प संख्यक-कार्य मंत्री (श्री मेहर चन्द खन्ना) :** (क) अनुसूचित जाति तथा पिछड़ी जाति के लोगों के कब्जे में जो जायदादें थीं उन को बेचने के आदेश २३ मार्च, १९५९ को रिजनल सेटलमेंट कमि-

इनरों को भेज दिये गये थे जिन में इस बात का उल्लेख था कि १०,००० रुपये से कम कीमत वाली सारी शहरी निष्क्रान्त जायदादें जिन में अनुसूचित जाति तथा पिछड़ी जाति के लोग अधिकृत रूप से रह रहे हों उन्हें सुरक्षित मूल्य पर उन लोगों को बेच दी जावें और उन की कीमत का २० प्रतिशत प्रारम्भिक किश्त के रूप और शेष ७ बराबर किश्तों में वसूल किया जावे । इन आदेशों में यह भी बतलाया गया था कि यह रियायत अनुसूचित जाति तथा पिछड़ी जाति के सब लोगों को दी जाये चाहे वे शरणार्थी हों या गैर-शरणार्थी । इस निर्णय के विषय में जन-साधारण को सूचित करने के लिये २२-३-५९ को नहीं बल्कि ३-४-५९ को एक प्रेस नोट निकाला गया था ।

(ख) जी हां ।

(ग) प्रश्न नहीं उठता ।

**Assam Rifles**

4277. **Shri Dasaratha Deb:** Will the **Prime Minister** be pleased to state:

(a) whether Assam Rifles stationed in Tripura work under the Police Department of the Tripura Administration;

(b) whether people of Tripura are recruited in it;

(c) whether the cost of maintaining the Assam Rifles is excluded from the Budget estimates of Tripura; and

(d) if so, the reasons therefor?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) The Assam Rifles Battalion located in Tripura is at the disposal of the local civil administration and carries out its role under the broad direction of the Chief Commissioner. It does not come under the Police Department of Tripura.

(b) There is no ban on the recruitment of people from Tripura in the Assam Rifles. The Battalion located in Tripura has 102 persons from Tripura on its strength.

(c) and (d). The Tripura Administration meets the cost of the platoons actually located in Tripura. A few platoons of the Battalion have been loaned temporarily for deployment in Nagaland.

**State Trading Corporation**

4278. **Shri Chintamoni Panigrahi:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that the State Trading Corporation is withholding final payments to a large number of mine-owners after receiving supplies of iron ores from them for the last eight months; and

(b) if so, the number of suppliers not paid for and the amount of total money withheld so far ?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):** (a) There had been some delays in making final payments in respect of some quantity of ore purchased by State Trading Corporation for supply to M|s. Hindustan Steel Ltd., 80 per cent. of the payment were, however, made immediately on presentation of bills by the suppliers. Bulk of the balance payments have since been made.

(b) Out of total supply of 16 lac tons, payment is outstanding in 11 cases, involving only 1,04,619 tons valued at Rs. 2,51,100 approximately.

**Reservation in Ashoka Hotel**

4279. { **Shri Inder J. Malhotra:** / **Shri Bahadur Singh:**

Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether it is a fact that certain tourist agencies made reservations for accommodation in the Ashoka Hotel for the month of March, 1961;

(b) whether these reservations were made six months back;

(c) whether accommodation promised was refused at the last moment; and

(d) if so, what were the reasons?

**The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda):** (a) and (b). Yes.

(c) Accommodation once promised is normally not refused to any party. Although it is the Hotel's constant endeavour to honour all its commitments, there may be an odd case now and then in the busy season where substitute accommodation has had to be offered to a party either at the Hotel itself or, on rare occasions, at one of the other leading hotels in Delhi.

(d) It becomes necessary to do this in cases when the Hotel being full, the guests—due to delay in the departure of a plane or any other reason—stay on longer than originally planned and block the accommodation reserved for others on due dates.

**Assam Refugees in West Bengal**

**4280. Shri Hem Barua:** Will the Minister of **Rehabilitation and Minority Affairs** be pleased to state:

(a) whether it is a fact that the refugees from Assam now in West Bengal camps have submitted a memorandum to the Prime Minister in which they are reported to have said that they are prepared to go back to Assam provided certain minimum conditions are fulfilled by Government;

(b) if so, what are those conditions; and

(c) what steps have been taken in the matter?

**The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna):** (a) Yes, on the 2nd March 1961.

(b) The conditions referred to in the Memorandum are:—

(i) The evacuees from Assam should be rehabilitated in a concentrated manner in Assam;

(ii) The evacuees should be given compensation for their losses and not loans.

(iii) Persons responsible for the last riots in Assam should be punished after proper enquiry.

(iv) The Union Government should guarantee the security of these evacuees after they are rehabilitated in Assam.

(c) The position with regard to the four items referred to in reply to part (b) above is as follows:—

(i) The Assam Government has stated that they would have no objection if some persons wish to settle in some other areas in the same district in Assam provided there were suitable prospects of settlement and internal adjustments could be made.

(ii) Rehabilitation assistance is being given according to the scheme drawn up by the Assam Government. Assistance under this scheme had already been given to about 14,500 families up to 15th March, 1961 by the State Government. It is considered that assistance on the same basis for the families in camps in West Bengal would be adequate and no change in the pattern of the scheme of assistance is necessary.

(iii) This is a matter for the Government of Assam. All persons against whom cases can be established would be dealt with according to law.

(iv) The Minister for Rehabilitation had visited Assam towards the end of March, 1961. He was told by the State Governments as well as by deputations of local Bengali speaking persons whom he met at Gauhati and Shillong that conditions had, by and large, returned to normal and the law and order situation was well under control.

**Fertilizer Factories**

**4281. Shri Nanjappan:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether four new fertiliser factories will be set up during the Third Five Year Plan;

(b) the capacity of production of each plant;

(c) the places where they will be set up; and

(d) whether any priority will be given in setting up these plants?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):** (a) to (d). Apart from the factories which are already under construction at Neiveli and Rourkela, Government have so far approved the setting up eight new fertilizer factories in the public and private sectors. More units for the production of nitrogenous fertilizers are under consideration. A statement giving the installed capacity and the location of each unit is given below:

STATEMENT

Highest priorty has been accorded to schemes for setting up fertilizer factories during the Third Plan period. The following are the factories which have so far been finally approved for being set up during the Third Plan period:—

| Location | Capacity in tons of Nitrogen | Sector |
|---|---|---|
| (i) Trombay . | 90,000 | Public |
| (ii) Nahorkatiya . | 32,500 | Do. |
| (iii) Gorakhpur . | 80,000 | Do. |
| (iv) Vishakhapatnam | 80,000 | Private |
| (v) Madhya Pradesh (exact location yet to be decided) . . | 50,000 | Do. |
| (vi) Hanumangarh | 80,000 | Do. |
| (vii) Kothagudam . | 80,000 | Do. |
| (viii) Ennore-Madras | 8,250 | Do. |

**X-Ray Plants for Base Hospitals in N.E.F.A.**

**4282. Shri D. Ering:** Will the **Prime Minister** be pleased to state:

(a) whether all the Base Hospitals in NEFA will be equipped with X-Ray Plants;

(b) if so, when the plants will be installed; and

(c) whether it is also a fact that an X-Ray Plant is lying idle for long on account of non-availability of some other connected materials?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) and (b). The Hospitals at Tezu and Pasighat have already been equipped with X-Ray Plants. The remaining Base Hospitals in NEFA will be equipped with these Plants on completion of the buildings in the course of the Third Five Year Plan.

(c) The X-Ray Plant for Pasighat Base Hospital was found deficient of some essential parts on receipt and has been lying idle. These parts have since been procured. The Plant is now in the process of being installed by the firm from which it was purchased.

**Ziro H. E. School**

**4283. Shri D. Ering:** Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that ZIRO H. E. School at Ziro, headquarters of

Subansiri Division, N.E.F.A. has been closed for some time on account of some disputes among the students and the staff;

(b) whether it is also a fact that some minor students have been arrested and put under quarter-guard;

(c) if so, what are the reasons therefor; and

(d) whether amicable settlement has since been arrived at?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) to (d). On the last Independence Day, the students of Ziro High School indulged in some acts of indiscipline. While returning from a cinema show late in the evening, they attempted to stop some jeeps to get lifts, threw a few stones at the vehicles and also manhandled the drivers. No serious damage was, however, caused. Three days later, they created some disturbances during a cinema show. On the 20th August, 1960, some teachers were assaulted for reporting against the ring leaders.

No arrests were made but 13 senior students of ages between 19 and 20, who had taken a leading part in these incidents, were removed to a place in the foothills to avoid aggravation of the situation.

The local Political Officer held a meeting of the village elders and the parents. They condemned the behaviour of the students.

Later, the students were readmitted into the School after they had tendered apologies.

The School remained closed for five months inclusive of the summer vacation and the period spent in shifting to the permanent buildings four miles away.

**Grants of Licences to Firms for New Production**

**4284. Shri Aurobindo Ghosal:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether any licence has been given to the existing firms of India for undertaking new lines of production in 1960-61; and

(b) if so, how many?

**The Minister of Industry (Shri Manubhai Shah):** (a) and (b). Under the Industries (Development and Regulation) Act, 1951, during the years 1960 and 1961 (upto March) 368 and 88 licences respectively, have been issued to existing firms for the manufacture of "new articles" as defined in Section 11A of the Act.

**Shree Sayajee Jubilee Cotton and Jute Mills, Sidhpur**

**4285. Shri M. B. Thakore:** Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Unstarred Question No. 2853 on the 6th April, 1961 and state:

(a) how long will it take to restart the Shree Sayajee Jubilee Cotton and Jute Mills, Sidhpur;

(b) whether the workers of the said mill are all employed; and

(c) the loss incurred by the mill?

**The Minister of Industry (Shri Manubhai Shah):** (a) The matter is still under consideration of Government.

(b) and (c). Precise information is not available.

**Seminar on Industrial Co-operatives**

**4286. Shri P. C. Borooah:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether a seminar on industrial co-operatives was held in the beginning of April, 1961 in Delhi;

(b) if so, what recommendations/ observations were made at the seminar; and

(c) what is the Government's decision thereon?

**The Minister of Industry (Shri Manubhai Shah)**: (a) Yes, Sir. The Seminar on Industrial Co-operation was held from 3rd April, 1961 to 5th April, 1961 at Vigyan Bhavan, New Delhi.

(b) A note containing important conclusions which emerged from discussions at the Seminar is laid on the Table. [*See* Appendix VI annexure No. 49].

(c) Government's decision on the recommendations of the Seminar will be taken in due course.

**Kashmiri Muslims from Tibet in Gangtok**

4287. **Shri Raghunath Singh**: Will the **Prime Minister** be pleased to state whether a fresh batch of Kashmiri Muslims have arrived in Gangtok from Tibet?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru)**: A batch of 14 Kashmiri Muslims (5 males, 7 females and 2 minors) arrived in Gangtok during this month.

**Calcutta Dock Labour Board**

4288. **Shri Muhammed Elias**: Will the Minister of **Labour and Employment** be pleased to state:

(a) the total number of registered dock labourers who have been kept under suspension pending enquiries under Calcutta Dock Labour Board; and

(b) the period of suspension?

**The Deputy Minister of Labour (Shri Abid Ali)**: (a) and (b). The information is as follows:—

| Number of workers suspended pending enquiry | Suspended from | Remarks. |
|---|---|---|
| 33 | March, 1959 | Enquiry proceedings have been stayed pending decision of the High Court in one case. |
| 1 | December, 1959. | The case against the individual is pending in the Court of Law. |
| 5 | February, 1961. | The matter is under the consideration of the Board. |
| Total : 39 | | |

**Residential Accommodation for Government Employees**

4289. **Shri S. M. Banerjee**: Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether the recommendations of the Pay Commission on housing for the Government employees in Ch. XL, paras 3 and 4 have been considered;

(b) if so, whether any programme has been chalked out; and

(c) if so, the details thereof?

**The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda)**: (a) to (c). According to these recommendations, as summarised in paragraph 164 of the Pay Commission's report, Government should have "a comprehensive programme for housing their employees". The Ministry of Works, Housing and Supply are concerned with the construction of residential accommodation for Central Government employees in the general pool, which has so far been

created at Delhi, Bombay and Calcutta. Financial and other resources being limited, the aim at present is to provide accommodation sufficient to meet a prescribed percentage of the demand at each place. Keeping in view the Third Plan provision for construction of quarters for Government employees and the capacity of the Central Public Works Department, the programme for construction of Quarters at Delhi, Bombay and Calcutta will be stepped up; a programme for construction of quarters for Government employees will also be taken up at Madras. The question of constructing houses at other places will depend not only on the funds available for the purpose during the Third Plan and the capacity of the Central Public Works Department, but also on the economic justification for such proposals. The programme for construction of quarters for Government employees during the Third Five Year Plan has not yet been finalised.

**Air-conditioning of Government Buildings**

**4290. Shri P. C. Borooah:** Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether Government have taken a final decision that no newly-constructed multi-storey Government office should be air-conditioned centrally and fully;

(b) if so, to what extent they will be air-conditioned in pursuance of the latest decision; and

(c) the reasons for revising the original scheme?

**The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda):** (a) to (c). The decision is that structural provision for air conditioning should continue to be made, as hitherto, in multi-storeyed office buildings for actual air conditioning of the buildings in phases at a later date on financial resources, foreign exchange and power becoming available.

**Evacuee Properties in Delhi/New Delhi**

**4291. Shri Ram Garib:** Will the Minister of **Rehabilitation and Minority Affairs** be pleased to state:

(a) whether it is a fact that the lease terms of lease-hold evacuee properties in Delhi and New Delhi which are subject to renewal after 20 years, have since expired in most of the properties;

(b) if so, what is their number;

(c) what are the reasons for which the lease terms are not got renewed by the Ministry of Rehabilitation from the Delhi Development Authority;

(d) whether it is a fact that the displaced persons to whom these properties are transferred have to face great difficulties due to the non-renewal of lease terms by Muslim evacuees and thereafter by the Ministry of Rehabilitation; and

(e) what steps Government propose to take in this regard?

**The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna):** (a) Yes.

(b) 90.

(c) and (e). The matter is under discussion with the Delhi Development Authority.

(d) None to our knowledge. The allottees are still in the occupation of the properties and have not been disturbed.

**Report on Long-term Credit to Exporters**

**4292. Shrimati Maimoona Sultan:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the six-man Committee appointed by the Government for examining the question of long-term credit to exporters has since sumbitted its report;

(b) if so, what are their main recommendations; and

(c) what is the Government's decision thereon?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):** (a) to (c) The Report of the Study Group on Credit facilities for exports has been received and is being examined.

### उत्तर प्रदेश में उद्योगों का विकास

४२९३. **श्री राधा मोहन सिंह** : क्या वाणिज्य तथा उद्योग मन्त्री यह बताने की कृपा करेंगे कि :

(क) उत्तर प्रदेश सरकार को वर्ष १९६०–६१ में उद्योगों के विकास के लिये कितनी राशि ऋण और अनुदान के रूप में दी गयी; और

(ख) अनुदान और ऋण में से अलग-अलग कितना खर्च किया गया है और प्रत्येक शीर्षक के अन्तर्गत कितनी-कितनी राशि खर्च नहीं की जा सकी ?

**उद्योग मंत्री (श्री मनुभाई शाह)** :

| | | |
|---|---|---|
| (क) | ऋण . | १९७.४२ लाख रु० |
| | अनुदान | १३८.१८ लाख रु० |

(ख) ऋणों और अनुदानों के रूप में राज्यों को जो केन्द्रीय सहायता दी जाती है उसकी मंजूरी प्रतिवर्ष राज्यों द्वारा पहली तीन तिमाहियों में किये गये वास्तविक खर्च और चौथी तिमाही के अनुमानित खर्च के आधार पर की जाती है । इसलिये उपर्युक्त भाग (क) के उत्तर में बताये गये ऋणों और अनुदानों को देखते हुए उनका उपयोग न किये जाने का प्रश्न ही नहीं उठता ।

### Labour Problems in Public Sector Undertakings

**4294. Shri P. C. Borooah:** Will the Minister of **Labour** and **Employment** be pleased to state:

(a) whether the Union Government has made a reference to the State Governments that Centre should deal with the problems of labour in public sector industrial undertakings;

(b) if so, whether replies have since been received from the State Governments to the same; and

(c) what are their respective views?

**The Deputy Minister of Planning and Labour and Employment (Shri L. N. Mishra):** (a) Yes.

(b) and (c) All the replies have not yet been received.

### कार्यक्रम मूल्यांकन संगठन की रिपोर्ट

४२९५. **श्री प्रकाशवीर शास्त्री** :
**श्री अर्जुन सिंह भदौरिया** :
**श्री ब्रज राज सिंह** :

क्या योजना मंत्री यह बताने की कृपा करेंगे कि :

(क) कार्यक्रम मूल्यांकन संगठन की आठवीं रिपोर्ट कब प्रकाशित की जायेगी;

(ख) क्या उस रिपोर्ट का हिन्दी संस्करण निकालने की भी व्यवस्था कर ली गई है; और

(ग) क्या रिपोर्ट को हिन्दी संस्करण के साथ ही प्रकाशित किया जायेगा ।

**योजना उपमंत्री (श्री श्या० नं० मिश्र)** : (क) आठवां मूल्यांकन प्रतिवेदन सामुदायिक विकास के आगामी वार्षिक सम्मेलन के बाद प्रकाशित किया जायगा । आशा है कि यह सम्मेलन जुलाई १९६१ में होगा ।

(ख) और (ग) जिस समय आठवां मूल्यांकन प्रतिवेदन अंग्रेजी में प्रकाशित होगा, लगभग उसी समय उसका संक्षिप्त हिन्दी रूपान्तर भी प्रकाशित किया जायेगा ।

**दिल्ली में प्रदर्शनियां**

४२९६. **श्री प्रकाशवीर शास्त्री :**
**श्री अर्जुन सिंह भदौरिया :**
**श्री ब्रज राज सिंह :**

क्या **वाणिज्य तथा उद्योग** मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली में जो प्रदर्शनियां गत वर्षों में आयोजित होती रही हैं उनमें प्रदर्शित वस्तुओं के विवरण आदि हिन्दी में प्रस्तुत न होने के विषय में कई सार्वजनिक संस्थाओं की ओर से सरकार को शिकायतें की गई थीं;

(ख) क्या सरकार ने ऐसी व्यवस्था भविष्य के लिये की है कि जब दिल्ली में किसी प्रदशनी का आयोजन किया जाये तो उसमें प्रदर्शित वस्तुओं का विवरण हिन्दी में अवश्य लिखा हो और प्रदर्शिनी में नियुक्त कर्मचारी दर्शकों को हिन्दी में समझायें; और

(ग) क्या ऐसी व्यवस्था इस वर्ष होने वाली उद्योग प्रदर्शनी के लिये अपनायी जायेगी ?

**वाणिज्य तथा उद्योग उपमंत्री (श्री सतीश चन्द्र)** : (क) से (ग) दिल्ली की एक संस्था से प्राप्त एक पत्र की प्रतियां सरकारी क्षेत्र के उपक्रमों, राज्य सरकारों तथा होने वाली उद्योग प्रदर्शनी के व्यवस्थापकों को भिजवा दी गयी हैं । उन्हें सलाह दी गयी है कि वे पत्र में दिये गये सुझावों को ध्यान में रखें ।

**काम दिलाऊ दफ्तरों में हिन्दी के फार्मों का प्रयोग**

४२९७. **श्री प्रकाशवीर शास्त्री :**
**श्री अर्जुन सिंह भदौरिया :**
**श्री ब्रज राज सिंह :**

क्या **श्रम और रोजगार** मन्त्री यह बताने की कृपा करेंगे कि :

(क) काम दिलाऊ दफ्तरों में जो फार्म उपयोग में आते हैं क्या उन सब का हिन्दी अनुवाद करा लिया गया है; और

(ख) ऐसे कितने फार्म हैं जिनका अभी हिन्दी अनुवाद होना बाकी है और इस काम के कब तक पूरा होने की सम्भावना है ?

**श्रम उपमंत्री (श्री आबिद अली)** : (क) और (ख) राष्ट्रीय नियोजन सेवाओं की नियमावली के अनुसार फार्मों को हिन्दी प्रान्तीय भाषाओं में अनुदित करना जरूरी माना गया है । क्योंकि रोज़गार दफ्तरों का प्रशासन कार्य, सम्बन्धित राज्य सरकारों को सौंप दिया गया है, इसलिए देश भर के सभी रोज़गार दफ्तरों के बारे में पूंछी गई यह जानकारी इस मन्त्रालय में प्राप्त नहीं है ।

**दिल्ली में काम दिलाऊ दफ्तरों द्वारा हिन्दी में पत्र-व्यवहार**

४२९८. **श्री प्रकाशवीर शास्त्री :**
**श्री अर्जुन सिंह भदौरिया :**
**श्री ब्रज राज सिंह :**

क्या **श्रम और रोजगार** मन्त्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली तथा अन्य हिन्दी भाषी राज्यों के काम दिलाऊ दफ्तरों में जिन व्यक्तियों के नाम मिस्त्री आदि पदों के लिये पंजीकृत होते हैं अथवा जिन पदों के उम्मीदवार अधिक अंग्रेजी पढ़े-लिखे नहीं होते, क्या उनके पास काम दिलाऊ दफ्तरों से जाने वाले सूचनायें या पत्र हिन्दी में भेजे जाते हैं; और

(ख) यदि उपरोक्त भाग (क) का उत्तर नकारात्मक हो, तो हिन्दी में ऐसे पत्र और सूचनायें आदि भेजने की क्या और कब से व्यवस्था की जा रही है अथवा की जायगी ?

**श्रम उपमंत्री (श्री आबिद अली)** : (क) जी हां ।

(ख) सवाल पैदा नहीं होता ।

**हिन्दी में भेजे गये पत्र**

४२९९. { **श्री प्रकाशवीर शास्त्री :**
**श्री अर्जुन सिंह भदौरिया :**
**श्री ब्रज राज सिंह :**

क्या **श्रम और रोजगार** मन्त्री यह बताने की कृपा करेंगे कि :

(क) वेतन भुगतान अधिनियम तथा न्यूनतम वेतन अधिनियम के अन्तर्गत विभिन्न अधिकारियों की ओर से जो कार्यवाही की जाती हैं क्या वह सम्बन्धित व्यक्तियों की सुविधा के लिये हिन्दी में करने की कोई व्यवस्था की गई है;

(ख) यदि हां, तो क्या व्यवस्था की गई है; और

(ग) यदि ऐसी व्यवस्था हिन्दी भाषी राज्यों में अभी तक नहीं की गई है, तो उसे कब से करने का प्रबन्ध किया जायेगा ?

**श्रम उपमंत्री (श्री आबिद अली)** : (क) से (ग) वेतन अदायगी कानून और न्यूनतम वेतन कानून का प्रशासन जहां तक राज्य सरकारों के क्षेत्र के उद्योगों का सम्बन्ध है, राज्य सरकारें करती हैं । वेतन अदायगी कानून की धारा १५ और न्यूनतम वेतन कानून की धारा २० के अधीन आने वाली वाले दावों की सुनाई और निर्णय के लिये राज्य सरकारों ने अपने क्षेत्र के उद्योगों के लिये जो अधिकारी नियुक्त किये हैं, केन्द्रीय सरकार ने भी अपने क्षेत्र के उद्योगों से सम्बन्धित दावों की सुनाई और निर्णय के लिये उन्हीं अधिकारियों को नियुक्त किया है । कर्मचारी मुआवजा कानून और न्यूनतम वेतन कानून के अन्तर्गत मामलों पर हिन्दी में कार्रवाई करने के लिये उन अधिकारियों ने क्या व्यवस्था की है, यह मालूम नहीं है ।

**Coal Mines Industrial Disputes**

4300. { **Shri Kunhan:**
**Shri T. B. Vittal Rao:**

Will the Minister of **Labour** and **Employment** be pleased to state:

(a) the number of industrial disputes pertaining to coal mines referred to Industrial Tribunal during the calendar year 1960;

(b) how many of them pertain to Unions affiliated to Indian National Trade Union Congress and All India Trade Union Congress; and

(c) whether the number of industrial disputes raised by the unions during 1960 has increased as compared to 1959?

**The Deputy Minister of Labour (Shri Abid Ali)**: (a) Sixty three.

(b) Forty three disputes raised by unions affiliated to the Indian National Trade Union Congress and nine by unions affiliated to the All India Trade Union Congress.

(c) Yes,

**संघ लोक सेवा आयोग के लिये स्थान**

४३०१. **श्री भक्त दर्शन:** क्या **निर्माण, आवास और संभरण** मन्त्री १४ अप्रैल, १९६१ के तारांकत प्रश्न संख्या १५५० के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) संघ लोक सेवा आयोग के लिये जो अतिरिक्त भवन बनाना स्वीकार किया गया है, उस पर कितना धन व्यय होने का अनुमान है; और

(ख) उसका निर्माण-कार्य कब तक पूरा हो जाने की आशा की जाती है ?

**निर्माण, आवास तथा संभरण उपमंत्री (श्री अनिल के० चन्दा)** : (क) धौलपुर हाउस के अहाते में एक अतिरिक्त कार्यालय

भवन के, जिसमें एक साइकिल स्टैण्ड भी सम्मिलित है, निर्माण का आकलित (ऐस्टमेटिड) व्यय ८,८६,५४० रुपये और इस पर ८। प्रतिशत के हिसाब से विभागीय प्रभार (चार्ज) है।

(ख) लगभग २ वर्ष में।

**Radioisotopes**

**4302. Shri D. C. Sharma:** Will the **Prime Minister** be pleased to state:

(a) whether radioisotopes are proposed to be used in healing, industry and agriculture;

(b) whether any programme has been chalked out in this direction;

(c) if so, the details thereof; and

(d) if not, when it is likely to be finalised?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) Yes. They are already in use for all these purposes.

(b) Yes. In 1957, an Isotope Division was set up within the Atomic Energy Establishment in order to produce radioisotopes and to encourage their use.

(c) The main radioisotopes, P-32, I-131 and S-35 are regularly produced by the Isotope Division, and many other radioisotopes are prepared on demand. Medical users take most of this material, having so far received 190 consignments, of which 115 were of radioiodine. Our programme includes the wide-scale provision of radiocobalt sources to hospitals, to replace radium, and the provision of an extensive range of radioisotpes especially prepared for medical use.

In agriculture, the Indian Agricultural Research Institute, Delhi, is the main user, having so far received 19 consignments of radioisotopes from the Establishment. The manufacture of phosphate fertilizer tagged with radiophosphorus for research into fertilizer utilization and a number of other special products of use in agricultural research are being developed.

The industrial use of radioisotopes is only just beginning in India. Radiography sources are now manufactured at Trombay, and development work on beta-ray gauges of various types is in progress. It is intended to perfect these instruments so that they can find wide-spread use in industry.

(d) Does not arise.

**Import of Dry Fish from East Pakistan**

**4303. Shri L. Achaw Singh:** Will the Minister of **Commerce** and **Industry** be pleased to state:

(a) whether it is a fact that the Joint Controller of Imports and Exports, Calcutta has issued a quota for the import of dry fish from East Pakistan for Manipur;

(b) if so, whether the quota has been fully utilised during the last years; and

(c) the total quota for the present half year?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):** (a) yes, Sir.

(b) The quota for April-September, 1960 has been fully licensed. Regarding October, 1960-March, 1961 licensing period, licences for the full quota have not been issued, pending receipt of the recommendations of the Chief Commissioner, Manipur.

(c) An allotment of Rs. 60,000/- for full one year, April, 1961-March, 1962, has been made.

**Shop-Keepers in the Main Vinay Nagar**

**4304. Shri Ram Garib:** Will the Minister of **Works, Housing** and **Supply** be pleased to state:

(a) whether Government are aware that many shop-keepers in the Main

Vinay Nagar Market, New Delhi have constructed temporary structures and expanded their business, making the market congested and have marred its architectural lay-out beauty; and

(b) if so, what action Government have taken to set things right there?

**The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda):** (a) and (b). Certain shop-keepers have constructed unauthorised structures in the premises allotted to them. The allottees concerned have been asked to obtain the approval of the Central Public Works Department for such constructions failing which their allotments are liable to be cancelled if the structures are not removed.

**Chinese Unit of All India Radio**

**4305. Shri Bal Raj Madhok:** Will the Minister of **Information** and **Broadcasting** be pleased to state:—

(a) whether it is a fact that many Chinese and Indians are working in the Chinese Unit of the All India Radio;

(b) the procedure to ensure that the unit implements in its broadcasts Government policy of non-alignment; and

(c) whether it is a fact that there is no Indian in the All India Radio Chinese Section who knows Chinese language well to supervise the performance of the unit and the Chinese working there?

**The Minister for Information and Broadcasting (Dr. Keskar):** (a) Seven Chinese and one Indian are working in the Chinese Unit of All India Radio.

(b) The master scripts of most of the programmes are prepared by Indians and are checked by competent authorities.

(c) No; Sir. The Organiser of the Chinese Unit is an Indian, who has received special training in Chinese.

**कस्तूरबा नगर में नालियां**

४३०६. **श्री प्रकाश वीर शास्त्री:** क्या **निर्माण, आवास और संभरण** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि नई दिल्ली के कस्तूरबा नगर में नई नालियों को मुख्य नालियों से नहीं मिलाया गया है जिससे गन्दा पानी इधर उधर बह रहा है और इस गन्दगी के कारण मच्छरों की वृद्धि हो रही है ; और

(ख) क्या ऊपर की मंजिल में रहने वाले कर्मचारियों को गर्मियों में नीचे के नलो से पानी भरने के लिये काफी समय प्रतीक्षा करनी पड़ती है जिससे दोनों मंजिलो के लोगों को परेशानी होती है ?

**निर्माण, आवास और संभरण उपमंत्री (श्री अनिल के० चन्दा) :** (क) और (ख) कस्तूरबा नगर में पहले खुली नालियां बनाई गई थीं जिनका सम्बन्ध भूमि के नीचे वाली मल निकास नाली से नहीं था। इसके फलस्वरूप गन्दगी और गरमियों में ऊपर की मंजिल के मकानो में काफी पानी न पहुंचने की शिकायतें प्राप्त होने पर खुली नालियों का सम्बन्ध मल निकास नाली से जोड़ने और पानी के पर्याप्त संभरण को सुनिश्चित करने के लिए पानी का दबाव बढ़ाने, दोनों के निर्माण कार्य शुरू कर दिये गये हैं और आशा है कि दोनों शीघ्र पूरे हो जायेंगे ।

**मजदूर संघों को हिन्दी में पत्र लिखना**

४३०७. **श्री प्रकाशवीर शास्त्री :** क्या **श्रम और रोजगार** मंत्री यह बताने की कृपा करेंगे कि केन्द्रीय सरकार के विभिन्न कार्यालयों द्वारा हिन्दी भाषी प्रदेशो के मजदूर संघों को जो पत्र और परिपत्र भेजे जाते हैं क्या उनको हिन्दी में, अथवा हिन्दी अनुवाद के साथ भेजने की कोई व्यवस्था की गई है और यदि नहीं, तो कब से ऐसी व्यवस्था की जाने वाली है ?

**श्रम उपमंत्री (श्री आबिद अली)** : हिन्दी में प्राप्त पत्रों का उत्तर हिन्दी में भेजने की व्यवस्था की जा चुकी है। विभिन्न सरकारी कामों में हिन्दी का प्रयोग अब गृह मंत्रालय के २७ मार्च, १९६१ को जारी किये गये निर्देशों के अनुसार किया जाता है।

**क्वार्टर मिलने की सूचना हिन्दी में भेजना**

४३०८. **श्री प्रकाश वीर शास्त्री** : क्या **निर्माण, आवास और संभरण** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि भारत सरकार ने ऐसा निश्चय किया है कि चतुर्थ श्रेणी के कर्मचारियों को दिये जाने वाले क्वार्टरों के विषय में सूचना हिन्दी में दी जाया करे ; और

(ख) गत तीन मास में चतुर्थ श्रेणी के कर्मचारियों को कितने आवंटन-पत्र जारी हुए और उनमें से कितने हिन्दी में भेजे गये ?

**निर्माण, आवास और संभरण उपमंत्री (श्री अनिल के० चन्दा)** : (क) यह निश्चय किया गया है कि चतुर्थ श्रेणी कर्मचारियों से संबंध रखने वाले नियतन (एलौटमेंट) आदेश हिन्दी में जारी किये जा सकते हैं या विकल्प के तौर पर मूल अंग्रेजी नियतन आदेशों के साथ उनका हिन्दी अनुवाद भेजा जा सकता है।

(ख) पिछले ३ महीनों में चतुर्थ श्रेणी कर्मचारियों के नाम ४६२ नियतन-पत्र भेजे गये और उनमें से हिन्दी में कोई भी नहीं था। सम्बन्धित फार्मों का हिन्दी में अनुवाद कराने और छपवाने के लिए आवश्यक प्रबन्ध किया जा रहा है।

**मुख्य श्रम आयुक्त के कार्यालय में हिन्दी टाइपिस्ट**

४३०९. **श्री प्रकाश वीर शास्त्री** : क्या **श्रम और रोजगार** मंत्री यह बताने की कृपा करेंगे कि :

(क) मुख्य श्रम आयुक्त के कार्यालय में कितने कर्मचारी हिन्दी टाइप का काम करते हैं ;

(ख) कितने कर्मचारी हिन्दी टाईपिंग का प्रशिक्षण अब तक ले चुके हैं और कितने कर्मचारी इस समय ऐसा प्रशिक्षण ले रहे हैं ; और

(ग) भविष्य में क्या और भी कुछ इस तरह के कर्मचारियों को बढ़ाने का विचार है ?

**श्रम उपमंत्री (श्री आबिद अली)** : (क) तीन।

(ख) तीन प्रशिक्षण ले चुके हैं और एक प्रशिक्षण ले रहा है।

(ग) जी हां।

**मुख्य श्रम आयुक्त के कार्यालय में हिन्दी जानने वाले कर्मचारी**

४३१०. **श्री प्रकाशवीर शास्त्री** : क्या **श्रम और रोजगार** मंत्री यह बताने की कृपा करेंगे कि :

(क) मुख्य श्रम आयुक्त के कार्यालय में इस समय कितने कर्मचारियों ने "हिन्दी सिखाओ योजना" के अन्तर्गत "प्रवीण" और "प्राज्ञ" परीक्षायें अलग-अलग पास की है ;

(ख) क्या उनसे हिन्दी का काम लिया जाता है ; और

(ग) यदि हां, तो कौन-कौन सा कार्य लिया जा रहा है।

**श्रम उपमंत्री (श्री आबिद अली)** : (क) केन्द्रीय सरकार के कर्मचारियों के लिये शुरू की गई हिन्दी शिक्षा योजना के अन्तर्गत दो कर्मचारियों ने प्राज्ञ परीक्षा पास की है। इनमें एक कर्मचारी ने प्रवीण परीक्षा भी पास की है।

(ख) और (ग) मुख्य श्रम कमिश्नर के दफ्तर का हिन्दी का काम इस समय वहां के एक हिन्दी सहायक करते हैं। यह निर्देश दिया गया है कि जब जरूरत हो, उपरोक्त दो व्यक्तियों से भी हिन्दी के काम में मदद ली जाय।

**मुख्य श्रम आयुक्त के कार्यालय द्वारा निकाले गये हिन्दी परिपत्र**

४३११. **श्री प्रकाशवीर शास्त्री :** क्या **श्रम और रोजगार** मंत्री यह बताने की कृपा करेंगे कि :

(क) मुख्य श्रम आयुक्त के कार्यालय में वर्ष १९६० की पिछली छमाही में चतुर्थ श्रेणी के कर्मचारियों से सम्बन्धित कुल कितने परिपत्र निकाले गये और उन में से कितने हिन्दी में भी निकाले गये; और

(ख) क्या भविष्य में इन कर्मचारियों से सम्बन्धित सभी परिपत्र आदि हिन्दी में भी निकालने की उचित व्यवस्था कर ली गई है ?

**श्रम उपमंत्री (श्री आबिद अली) :** (क) कोई नहीं ।

(ख) जी हां ।

**Atomic Plant in Rajasthan**

**4312. Shri P. C. Borooah:** Will the **Prime Minister** be pleased to state:

(a) what is the quantum and quality of atomic minerals available in Alwar and Bharatpur; and

(b) whether these reserves are considered adequate to justify the setting up of an atomic plant in their vicinity in Rajasthan?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) The occurrence of uranium minerals in the Alwar area is extremely sporadic and limited in quantity. No significant occurrence of uranium mineralization has been reported in the Bharatpur area.

(b) The location of an atomic power station does not depend upon the occurrence of uranium minerals in the vicinity. The cost of transportation of uranium is not a significant factor in nuclear power costs.

As pointed out in reply to part (b) of Starred Question No. 1102 answered in the Lok Sabha on March 24, 1961, the Planning Commission has on other considerations, for example the relatively high cost of coal, authorised the Department of Atomic Energy to search for a site for the location of a nuclear power station of 150 MWe in the Delhi-Punjab-Rajasthan area. The decision to establish such a station has, however, not yet been taken.

**Cement for Assam**

**4313. Shri P. C. Borooah:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) the stocks of cement demanded, allotted and moved for catering to the needs of Assam during each of the quarters from the beginning of the year 1960;

(b) whether the allotment and movement position deteriorated during the period following September, 1960; and

(c) if so, what are the reasons therefor?

**The Minister of Industry (Shri Manubhai Shah):** (a) The demand, allotment and movement of cement for Assam since 1960 are as follows:

| Period | Demand | Allotment | Movement |
|---|---|---|---|
| | (in long tons) | | |
| Jan-March '60 | 22,200 | 22,200 | 28,183 |
| April-June II/60 | 28,362 | 28,362 | 19,120 |
| July-Sept. III/60 | 41,166 | 41,166 | 7,896 |
| | (In Metric Tonnes) | | |
| Oct-Dec. IV/60 | 60,969 | 28,000 | 23,675 |
| Jan-March. I/61 | 70,824 | 33,000 | 22,000 |
| April-June. II/61 | 62,850 | 33,000 | In progress |

(b) and (c) With the increasing avilability of Steel and acceleration in the tempo of constructional activities throughout the country, demand for cement which was well within the production capacity during the pre-

vious two years, began to increase rapidly from the beginning of 1960 and it is now in excess of the availability. The demand, which was 7'38 lakh metric tonnes per month in quarter January-March, 1960 increased to 12.92 lakh metric tonnes as against an estimated availability of 7.21 lakh tonnes per month during the quarter Jan-March, 1961. The demand for the puarter April-June 1961 has shown a further inrease to 13.48 lakh metric tonnes per month, while the estimated monthly production is 7.35 lakh metric tonnes. In the circumstances, it has not been possible to meet all demands in full. Frequent operational restrictions imposed by the Railways and shortage of wagons contributed mainly to the shortfall in the movement of cement.

**Kapila Textile Mills, Nanpanguda (Mysore)**

4314. { **Shri Kunhan:** / **Shri Muhammed Elias:**

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether any steps have been taken for the reopening of Kapila Textile Mills, Nanpganguda, Mysore State which was closed two years ago;

(b) the main reasons for its closure; and

(c) when it is likely to be opened?

**The Minister of Industry (Shri Manubhai Shah):** (a) The Mills is under liquidation. It is reported that the mill was auctioned by the High Court of Mysore in February 1961, and that it was also purchased by some party. The sale has since been confirmed by the High Court and the purchaser is expected to resume working of the mills.

(b) Labour trouble.

(c) Precise information is not available.

**पुनर्वास उद्योग निगम**

४३१५. **श्री खुशवक्त राय :** [क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) पुनर्वास उद्योग निगम में कितनी पूंजी लगाई गई है;

(ख) उक्त निगम में कुल कितने वेतन भोगी कर्मचारी काम करते हैं और उन पर पिछले तीन वर्षों में प्रतिवर्ष कितना खर्च हुआ;

(ग) उक्त निगम के डायरेक्टर और सेक्रटरी को प्रति मास कितना वेतन दिया जाता है और उन की योग्यतायें क्या हैं;

(घ) पिछले दो वर्षों में उस ने कितना कर्ज प्रतिवर्ष दिया; और

(ङ) पिछले दो वर्षों में इस को प्रति वर्ष कितनी हानि हुई?

**उद्योग मंत्री (श्री मनुभाई शाह) :** (क) ५० लाख रुपये ।

(क) ३१-३-६० और ३१-३-६१ को क्रमशः २३ और ३० कर्मचारी थे । उन्हें क्रमशः १९५९–६० और १९६०–६१ के दौरान वेतन और भत्ते के रूप में ९६,७५६ रु. और १,३५,३९३ रु० का भुगतान किया गया था ।

(ग) २,२५० रु० और १,७०० रु० क्रमशः इस के मनेजिंग डायरेक्टर एम० ए० बी० काम, सी० ए० आई० बी० (लन्दन) हैं जो इस निगम में जाने से पहले स्टेट बैंक आफ इंडिया कलकत्ता के सेक्रेटरी और खजांची थे । सेक्रेटरी एक एम० ए० (अर्थ०) हैं और जो इस निगम में आने से पहले उप प्रमुख, प्रशाशक, पूदवांस, वित्त प्रशासन थे

(घ) १९५९–६० में ४,८९,००० रु. और १९६०–६१ में ६,८२,००० रु० ।

(ङ) १९५९-६० में १,२३,६८१ रु० और १९६०-६१ में १,४५,४९६ रु० की शुद्ध हानि हुई ।

**Export of Sewing Machines**

**4316. Shri Rajeshwar Patel:** Will the Minister of **Commerce** and **Industry** be pleased to refer to the reply given to Unstarred Qustion No. 2697 on the 3rd April, 1961 and state:

(a) the countries importing the Indian sewing machines;

(b) which are the strong competitors to the Indian sewing machines;

(c) whether there is any target for the export during the Third Five Year Plan?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):** (a) Countries importing Indian Sewing Machines are: Egypt, U.K, Afghanistan, Ceylon, Yugoslavia, Burma, Congo, Thailand, U.S.A., Canada, Pakistan, Br. East Africa, Singapore, Kuwait, Malaya, Sudan, Netherlands, Australia, Bahrein, Nigeria, Rhodesia (North and South), Lebanon, Jordan, France, Turkey, TRCL Oman, Maldives, Muscat, Iraq, Iran, Cambodia, Gambia, Sierria Leone, Ghana, Somalia, Mauritius, Libya, Moroocco, Mozambique, Malagasy, Trinidad, Br. Guina, Hiati, Newzealand, Fiji Island, Aden, Syria, Saudi Arabia, Fr. West Africa;

(b) Japan is the main competitor.

(c) No firm target has been fixed. Efforts will be made to raise the level of exports during the Third Plan period.

**Production of Sewing Machines**

**4317. Shri Rajeshwar Patel:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the quality of sewing machines of indigenous make is comparable to those produced by the leading manufactureres outside the country such as Singers;

(b) whether it is a fact that the Singer Sewing Machine Co. in India have been purchasing sewing machines of indigenous make and reselling them;

(c) whether it is a fact that Singers have put in small letters "Meritt" and "sold by" and thereafter in very broad and prominent letters "Singer" on the machines of indigenous make purchased by them; and

(d) whether action has been taken by Government in this matter?

**The Minister of Industry (Shri Manubhai Shah):** (a) Yes, Sir, having regard to the price.

(b) Yes, Sir.

(c) and (d). It was brought to Government's attention that on the machines indigenously produced but sold by the Singer Company, the indication or orgin, *viz.*, the phrase "Made in India' was not prominent enough. At our suggestion, the Singer Sewing Machine Company have taken steps to make the size of the words "Made in India" uniform with the size of the words "Sold by Singer Machine Company" and to place the two sets of words adjacent to each other.

**Quarters for Class IV Employees**

**4318. Shri S. M. Banerjee:**
**Shri Ram Garib:**
**Shri Basumatari:**

Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) the number of Class IV quarters *i.e.*, Peons and Daftries at present in General Pool which have not been provided with electricity (colony-wise) in Delhi and New Delhi;

(b) the number of such quarters as are provided with electricity (colony-wise);

(c) the number of such quarters which have not been provided with ceiling fans, etc., and

(d) how do the amenities provided for Class IV quarters compare with those provided to quarters of other categories?

**The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda):** (a) to (d). The information is being collected and will be laid on the Table of the House.

**Training of Personnel for Small Scale Industries in Orissa**

**4319. Shri P. G. Deb:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it has been decided to train personnel for small scale industries in Orissa; and

(b) if so, whether any centre is being established there for this purpose?

**The Minister of Industry (Shri Manubhai Shah):** (a) and (b). The Small Industries Service Institute, Cuttack, has been running for some regular training courses in business management and *ad hoc* training courses in blue print reading, heat treatment etc. for the benefit of small industries in Orissa.

**Tractors In D. D. A.**

**4320. Shri Morarka:** Will the Minister of **Rehabilitation and Minority Affairs** be pleased to state:

(a) whether it is a fact that an order for an additional supply of 75 tractors was placed by the Dandakaranya Development Authority with the Ministry of Defence and if so, when;

(b) what was the delivery programme of these 75 tractors and to what extent the same was fulfilled; and

(c) the price of each tractor together with the total amount paid so far?

**The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna):** (a) Yes, on the 19th April, 1960.

(b) In May 1960, the D.G.O.F. informed the D.D.A. that the deliveries of the tractors would be completed by November 1960. This delivery scheduled was later revised and it was indicated that the deliveries would begin in December 1960 and would be completed by the end of February 1961 . However, upto the end of February 1961 only 25 tractors had been delivered and upto the middle of April, 1961, another 27 tractors were supplied making a total of 52 tractors.

(c) The price of each tractor is Rs. 1,20,000.

**Dandakaranya Development Authority**

**4321. Shri Nathwani:** Will the Minister of **Rehabilitation and Minority Affairs** be pleased to state:

(a) whether it is a fact that an order was placed by the Dandakaranya Development Authority for the supply of 45 tractors made in U.S.A. through the D.G.S. &D.;

(b) whether the deliveries of these tractors have been made;

(c) if so, whether the deliveries have been made according to schedule; and

(d) what was the price of each tractor?

**The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna):** (a) to (c).

Yes.

(d) "Caterpillar" No. 29 (Rear Mounted Heavy Duty, Double Drum Cable Control Unit) Rs. 1,65,670 each

"Caterpillar" No. 30 (Front Mounted Heavy Duty, Single Drum Cable Control Unit). Rs. 1,60,202 each

**Industrial Accidents**

4322. {**Shri D. C. Sharma:**
**Shrimati Maimoona Sultan:**

Will the Minister of **Labour and Employment** be pleased to state:

(a) the number of industrial accidents in the country during the year 1960; and

(b) the steps taken or proposed to be taken to check such accidents?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) 1,36,707 (in factories—excluding accidents in Punjab, Tripura and Jammu and Kashmir, information in respect of which is not yet available). The Factory Inspectorates of State Governments are responsible for enforcing the Factories Act which provides for safety in factories.

(b) The question of arresting the rising trend of accidents in factories was discussed at the 16th session of the Labour Ministers' Conference held in January, 1960, and steps are being taken to implement the recommendations of the Conference. The matter was also discussed by the Standing Labour Committee at its meeting held in the last week of April, 1961.

**Government Accommodation for P. & T. Employees**

**4323. Shri Ram Garib:** Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether it is a fact that P. & T. employees in Delhi/New Delhi are not allotted quarters from the General Pool under the Directorate of Estates;

(b) if so, the reasons therefor;

(c) whether Government propose to remove the disparities; and

(d) the number of new quarters allotted to P. & T. staff in Delhi/New Delhi during 1960 category-wise in each unit?

**The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda):** (a) to (c). The employees of the Posts and Telegraphs Department, except those working in the Directorate General of Posts and Telegraphs, in Delhi/New Delhi are not considered for allotment of residential accommodation from the General Pool under the Directorate of Estates firstly because that Department is a commercial department and secondly because they have their own pool of residential accommodation. According to the present policy Government servants are considered for allotment of Government residential accommodation from only one pool of accommodation. The Posts and Telegraphs Department has formulated schemes for construction of additional quarters for their staff in Delhi which, when completed, will cater for the needs of about 30% of their employees in Delhi/New Delhi.

(d) No new quarters were completed and handed over to the Posts and Telegraphs Department for allotment to their staff during 1960.

**Scarcity of Motor Tyres in Assam**

**4324. Shri P. C. Borooah:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether Government are aware that there is a gerat scarcity of Motor tyres of all sizes in Assam;

(b) if so, the authority responsible to regulate the sale of motor tyres in that State; and

(c) the action taken to ease the situation?

**The Minister of Industry (Shri Manubhai Shah):** (a) and (c). Attention of the member is invited to the answer given to Unstarred Question No. 968 on the 4th March, 1961, on the subject. Since then State Trading Corporation have received further consignment of the imported giant size tyres and they have asked the State Government of Assam to intimate

their additional requirements which would also be made available to them.

(b) There is no control on the distribution of tyres. Sales are effected through the normal channel of dealers. Imported tyres are, however distributed by State Trading Corporation to actual consumers.

### कपड़ा मिलें

४३२५. **श्री प्रकाशवीर शास्त्री** : क्या **वाणिज्य तथा उद्योग** मंत्री यह बताने की कृपा करेंगे कि :

(क) भारत में कुल कितनी कपड़ा मिलें हैं;

(ख) कितनी कपड़ा मिलों ने वर्ष १९५९-६० में अपने लेखे का विवरण पेश किया;

(ग) जिन मिलों ने अपने लेखे का विवरण नहीं भेजा उन के खिलाफ सरकार ने क्या कार्यवाही की;

(घ) प्रत्येक राज्य में बेरोजगारी सहायता योजना के अन्तर्गत कितनी कितनी मिलें चलाई जा रही हैं और इन में कितनी पूंजी लगी हुई है तथा इन्हें कितना लाभ हुआ और इन पर कितना खर्च हुआ ;

(ङ) क्या यह सच है कि मिलों द्वारा प्रस्तुत लेखे के विवरण सब सही नहीं हैं; और

(च) यदि हां, तो इस सम्बन्ध में सरकार ने क्या कार्यवाही की है ?

**उद्योग मंत्री (श्री मनुभाई शाह)** : (क) १-१-६१ को ४७८ सूती कपड़ा मिलें थीं ।

(ख) २६८ कपड़ा मिलों ने अब तक वर्ष १९५९-६० के अपने प्रकाशित लेखे बम्बई के वस्त्र आयुक्त को पेश किये हैं ।

(ग) कपड़े की कम्पनियां सामान्यतः स्वाभाविक रूप से सन्तुलन पत्र और लेखे भेज रही हैं । इस का पालन न करने वाली मिलों के खिलाफ यदि कोई आर्यवाही करने की आवश्यकता होती है तो वह कम्पनी अधि नियम के अन्तर्गत की जाती है ।

(घ) जहां तक सरकार को पता है महाराष्ट्र की सरकार केवल एक मिल को बेरोजगारी सहायता योजना के अधीन चला रही हैं । सरकार को खर्च या मुनाफे के बारे में कोई जानकारी नहीं है ।

(ङ) जी नहीं ।

(च) प्रश्न नहीं उठता ।

### Hindustan Chemicals and Fertilizers Ltd.

**4326. Shri Balmiki:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether any representation has been received by the Centre from the oustees of the Hindustan Chemicals and Fertilizers Limited in regard to allotment of land;

(b) if so, the details thereof; and

(c) the action taken by Government in the matter?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):** (a) No.

(b) and (c). Do not arise.

**12.17 hrs.**

## CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

### Recovery of 'Validation Fee' from the people of Angul Sub-Division

**Shri P. G. Deb** (Angul): Sir, under Rule 197, I beg to call the attention of the Minister of Home Affairs to the following matter of urgent public importance and I request that he may make a statement thereon:—

**The recovery of 'Validation Fee' from the people of Angul Sub-division in the district of Dhenkanal, Orissa.**

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** Sir, shall I read out the statement? It is a one-page statement.

**Mr. Speaker:** Only one page? Very well, then.

**Shri Datar:** Clause 61 of the Angul Laws Regulation, 1936, imposed restrictions on transfer of the rights by tenure holders or ryots and provided that if any tenure holder or ryot transfers his right in tenure or holding or any portion thereof without obtaining the written consent of the Deputy Commissioner, the Deputy Commissioner may, in his discretion, eject the person in possession of the land in respect of which such transfer was made and may either—

(a) restore the land to the tenant who transferred it, or to any of his heirs, or

(b) resettle the land with another tenant. It appears that this provision in the laws was found necessary when the Angul Sub-Division was a backward area and the tenants were considered incapable of protecting their property against intrusion of more sophisticated people from outside. To validate such unauthorised transfers, however, a penalty by the the name of validation fee was being charged at Rs. 5 plus five times the rent during the current settlement. The practice of levying validation fee was declared invalid on 21st April 1958 by the Orissa High Court and accordingly has been discontinued since then. No validation fee is realised now from the people of Angul.

2. Section 6 of the Orissa Land Reforms Act confers the right of transfer on all ryots subject only to restrictions contained in sections 22 and 23 relating to the transfer of land by ryots belonging to Scheduled Tribes. As soon as the Land Reforms Act is brought into force the difficulty, if any, of the ryots of Angul in the matter of transfer of landed property will cease to exist.

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**12.20 hrs.**

## *RE*: QUESTION OF PRIVILEGE

### CERTAIN REMARKS IN THE NEW AGE

**Mr. Speaker:** There is a notice of a question of breach of privilege by Shri Hem Barua against the Editor, *New Age*. The other day I said that we would call for his explanation. Shri Joshi, the Editor, has sent some explanation.

I showed it to Shri Hem Barua who had tabled the motion.

Some remarks were made in *The New Age*. The following is the portion that appeared in the newspaper:

> "One can only say that prejudice makes some people so utterly blind sometimes that sense of proportion is completely lost and to defame certain policies and persons connected with them hey can stoop to the lowest mendacity."

This is the portion that appeared in the newspaper. The other day, before giving my consent, I wanted to know what the editor had to say. He was given some time. Ultimately he has said, after explaining that he was out of the station, as follows:

> "Regarding the matter raised in your letter, I must at once submit that I had or have no intention whatsoever to commit any breach of privilege of the Lok Sabha nor do anything which would hamper any honourable member of the House from discharging his duties in the House.
>
> The comments quoted in your letter and which appeared in the *New Age* dated 2nd April were made in the context of expressing

[Mr. Speaker]

honest and bonafide opinon on the statements made by Shri Hem Barua regarding the Rudrasagar Oil well. I may also submit that the portion quoted in your letter only means that there was a tendency to distort facts and I considered that as an editor of a responsible newspaper it was my duty to bring to the notice of the public such matters involving national interest. I felt the Government in the present case was not being criticised fairly and correctly.

I once again assure you that in making the above publication there was absolutely no bad intention at all and no disrespect was meant to the House or to any of its honourable Members."

I asked for the reaction of Shri Hem Barua on this. He wants to raise it in the House.

**Shri Hem Barua** (Gauhati): As soon as I saw the statement of the editor, in the ordinary course, I would not have liked to raise it on the floor of the House. But there are certain facts in it that compel me to make a humble submission.

There are serious and grave charges made against me, namely of "prejudices making me utterly blind", as also my "losing my sense of proportion completely", at the same time of "trying to defame certain policies of the Government"; also, I am charged of "stooping to the lowest mendacity". These are the charges made against me.

Now the editor comes out with an explanation that he has made the charges on a particular matter, namely about my statement on the Rudrasagar Oil well. But it is not so. If you, Sir, peruse the columns of the newspaper of 2nd April, you will be convinced of the fact that there are three counts on which the writer of that resume based his allegations against me. The first was in relation to my position about Tibet. I wanted the Prime Minister to explain his attitude towards Tibet, and quoted from Mr. Nehru's *Glimpses of World History*, page 842, 1939 edition, that Tibet was independent. I wanted to know from the Prime Minister as to what are the reasons for his now withdrawing from that position. The Prime Minister explained his attitude and also the attitude of the Government of India *vis-a-vis* the Tibetan situation. And the *New Age* has quoted this statement of the Prime Minister to its benefit. Is it any evidence of stooping to the lowest mendacity? Is it any evidence of going utterly blind?

The second thing was about the Chinese delegation to the Peace Council here. I was perturbed that the Chinese delegation was carrying on a propaganda against India. When the Chinese delegation said that "India seeks to inherit the seeds of British imperialism"—these words are within quotation marks—I found that Mr. Chou En-lai is also doing the same thing through television and the press. He has started a campaign of slander against India. That is why I put a question to the Prime Minister. I asked: why is it that the Chinese delegation attending the Peace Council in Delhi are allowed to carry on a campaign of slander and hatred, Mr. Chou En-lai's campaign of slander and hatred, against India, in the very heart of this capital city? This was an innocuous question, because I felt that that propaganda was systematically being carried on. Is it an evidence of stooping to the lowest mendacity? Is it an evidence of losing completely the sense of proportion?

About Rudrasagar Oil well, Shri K. D. Malaviya made a statement here. But after that Shri Mathur, Director of Geology in the Oil and Natural Gas Commission addressed a meeting of Members of Parliament in the Central Hall and made certain statements. When I compared the facts given by him with the facts given by Shri K. D. Malaviya, I found some discrepancy. And, honestly speaking, it is because of his discrepancy that I drew the attention of

the Minister concerned, and he was given an opportunity to clarify the actual position *vis-a-vis* the Rudrasagar oil well.

I have been honest all along in my professions. But here are people who have doubted my honesty, levelled allegations against me, cast aspersions also against me. Where are the "evidences of this particular Member trying to defame certain policies of the Government"? My attitude about private and public sector is very well known through the speeches I have made and the questions I have put here. If you, Sir, peruse all these points that I have raised, one by one, I can say that everbody who has an iota of grey matter left in his skull would inevitably come to the conclusion that here is a man who is honest, who tries honestly to discharge the duties entrusted to him by the electorate. But I am sorry to say here is a group of people who, with jaundiced eyes, see nothing but jaundices everywhere. A diseased mind is always a devil's workshop. Whatever it is, I would have very much liked the editor to have come out with a straightforward expression of regret. That he has not done. On the other hand, he tries to justify what he has said. But I think I should show my magnanimity after saying all these things, since he says that he has not meant any disrespect to the House. But at the same time, I would say a hundred times that he has tried to cover up or camouflage these ill-founded attacks against me by wrong statements. But in spite of that, I cannot be bullied, I cannot be threatened. I have that amount of courage. In spite of these allegations and charges I will be going on discharging the responsibilities entrusted to me by my people.

But whatever that might be, since he has said that he did not mean any disrespect—he has not expressed any regret—but since he has said that he did not mean any disrespect. I do not want to press the privilege motion I withdraw the privilege motion.

But at the same time, Sir, I would say that this is true, that a soverign Parliament and the freedom of the press should co-exist. But when the freedom of the press means licence for some and when some people indulge in all sorts of nasty things, it is our bounden duty to raise it on the floor of the House and draw your attention and the attention of the House.

**Mr. Speaker:** It is so good of Shri Hem Barua to have withdrawn the notice of the question of privilege. But I thought, so far as the reply is concerned, that the reply might have been more unequivocal. Using expressions against a Member that he is 'stooping to mendacity" and so on and so forth—not only in this case but against any Member—is likely to detract from his legitimate duties Therefore, I am happy that Shri Hem Barua has shown an amount of magnanimity and that he does not want to press the question.

No further action will be taken on this. The House will now proceed to the next item of business.

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## PAPERS LAID ON THE TABLE

### STATEMENT RE: SHORTAGE OF POWER IN CALCUTTA AREA

**The Minister of Irrigation and Power (Hafiz Mohammad Ibrahim):** I beg to lay on the Table a statement regarding the shortage of power in the Calcutta area. [Placed in Library. *See* No. LT-2914/61].

**Shri Prabhat Kar** (Hooghly): Today we have received information that the Chairman of the D.V.C. has said that the 70 megawatts of power in the city of Calcutta has now been increased to 90 mega-watts but the restriction which has been imposed on the various industrial units will continue.

I want to know whether as a result of the restrictions continuing on the industrial units, there will be stoppage of work and whether the stoppage of work will hamper production. I also want to know from the hon. Minister when he expects the industrial units

[Shri Prabhat Kar]

in Calcutta to get the supply of electricity. That is the first point.

My second point is this. Within fifteen days, three of the power stations failed. May I know the reasons for the failure of these power stations within fifteen days, as a result of which Calcutta was faced with such a grave crisis?

These are the two things that I want to know from the hon. Minister, because, today, we have seen a statement by the chairman of the DVC that the supply will be increased from 70 M.W. to 90 M.W. only, and it will not be possible to oincrease it any further at this moment

**Hafiz Mohammad Ibrahim:** I have already stated once in this House about the time by which this present condition will terminate, and I said that by the middle of June, this will terminate, and there will be no such difficulty remaining.

As far as the causes are concerned, that is the work of the licensee and the Government of West Bengal, and they have to investigate it. As far as I am concerned, I have nothing to do with it, because they are licensees, and the licences have been given to them by the State Government and not by the Centre. So, they are exclusively under the control of the State Government and not the Centre.

**Shri Prabhat Kar:** I have not asked about the Calcutta supply. I have asked about the supply from the DVC; the DVC is the responsibility of the Union Government. This supply is completely different.

**Shri A. C. Guha** (Barasat): What about the DVC? The DVC is the responsibility of the Centre.

**The Deputy Minister of Irrigation and Power (Shri Hathi):** About the DVC, it is true that the Centre has to look into it. The position about the two sets of DVC which went out of commission is this. Both these sets are still with the suppliers, and they have have not been actually handed over to the DVC; they are on trial, They have not been handed over to the management; actual possession has not been handed over to the DVC. But when there was a shortage in Calcutta, the DVC requested the suppliers to put them on full load, instead of having them only on a trial basis. It was during this period that these two sets were damaged.

**Mr. Speaker:** When was the trial to be completed?

**Shri Hathi:** These two are now ready.

**Mr. Speaker:** They are ready now?

**Shri A. C. Guha:** In spite of all this, it would appear somewhat intriguing that the two units in Cossipore and three units in Durgapur all collapsed more or less at the same time. So, it is proper for the Central Government to have an overall enquiry, irrespective of whether these two units are with the DVC or with the contractors. What is the cause of these simultaneous failures of all the units?

**Hafiz Mohammad Ibrahim:** A distinction has to be drawn in the two cases. As far as the DVC is concerned, the Central Government is also concerned with it. But, as I stated now, the trial run is going on there. This power station has been constructed, and the contractor is giving trial. During the trial period, so many things happen which never are enquired into, and no committee need be set up for this purpose, because that is the usual thing.

As far as the other thing is concerned, I have already stated that it is for the State Government to take action.

**Shri Chintamoni Panigrahi** (Puri): The Deputy Minister has stated that already the trial is over, and soon, it will be put into commission. But, now, the hon. Minister says that the trial is going on. What are the facts?

**Mr. Speaker:** They are fully explaining what the position is.

**Shri Vajpayee** (Balrampur): Both are correct!

**Shri Hathi:** I shall explain it. I said that the damaged sets have now been commissioned. That is, two sets at Durgapur were on trial, and during that trial, the damage occurred. Those two sets have been repaired.

**Mr. Speaker:** Now, the trial is over?

**Shri Hathi:** The trial is not over. They are still on trial, but the sets are repaired, and they are now running again on full load, to meet the shortage of power.

AMENDMENT TO ORISSA ESTATES ABOLITION RULES

**Shri Datar:** I beg to lay on the Table a copy of Notification No. 38939-E.A. II-39/60-R published in the Orissa Gazette dated the 16th September, 1960, making certain further amendment to the Orissa Estates Abolition Rules, 1952, under sub-section (3) of section 47 of the Orissa Estates Abolition Act, 1951. [Placed in Library. *See* No. LT-2915/61].

ANNUAL REPORTS OF—

(i) NATIONAL INSTRUMENTS LIMITED,

(ii) PRAGA TOOLS CORPORATION, LIMITED,

(iii) INDIAN HANDICRAFTS DEVELOPMENT CORPORATION LIMITED, AND

(iv) HINDUSTAN CABLES LIMITED, AND REVIEWS BY GOVERNMENT OF THE WORKING THEREOF GOVERNMENT RESOLUTION RE: FAIR PRICE PAYABLE TO METAL CORPORATION OF INDIA.

**The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur):** On behalf of Shri Manubhai Shah, I beg to lay on the Table a copy each of the following papers:—

(i) (a) Annual Report of the National Instruments Limited, Calcutta for the year 1959-60 along with the Audited Accounts and comments of the Comptroller and Auditor-General thereon, under sub-section (1) of section 639 of the Companies Act, 1956;

(b) Review by the Government of the working of the above Company;

[Placed in Library. *See* No. LT-2916/61.]

(ii) (a) Annual Report of the Praga Tools Corporation Limited, Hyderabad for the year 1959-60 along with the Audited Accounts and comments of the Comptroller and Auditor-General thereon, under sub-section (1) of section 639 of the Companies Act, 1956;

(b) Review by the Government of the working of the above Corporation;

[Placed in Library. *See* No. LT-2917/61.]

(iii) (a) Annual Report of the Indian Handicrafts Development Corporation Limited, New Delhi, for the year 1959-60 along with the Audited Accounts and comments of the Comptroller and Auditor-General thereon, under sub-section (1) of section 639 of the Companies Act, 1956;

(b) Review by the Government of the working of the above Corporation;

[Shri Raj Bahadur]

[Placed in Library. *See* No. LT-2918/61.]

(iv) (a) Annual Report of the Hindustan Cables Limited, Burdwan for the year 1959-60 along with the Audited Accounts and comments of the Comptroller and Auditor-General thereon, under sub-section (1) of section 639 of the Companies Act, 1956;

(b) Review by the Government of the working of the above Company;

[Placed in Library. *See* No. LT-2919/61.]

(v) Government Resolution No. 15(1)Met/60 dated the 22nd April, 1961 under sub-section (2) of section 16 of the Tariff Commission Act, 1951 revising Government's decision contained in paragraph 2(6) of Resolution No. 15(15)Met/58, dated the 5th December, 1959, relating to the fair price payable to the Metal Corporation of India.

[Placed in Library. *See* No. LT-2920/61.]

CENTRAL BOILERS BOARD (NOMINATION OF MEMBERS) RULES

**The Minister of Works, Housing and Supply (Dr. B. Gopala Reddi):** I beg to lay on the Table, a copy of the Central Boilers Board (Nomination of Members) Rules, 1961, published in Notification No. GSR 490 dated the 8th April, 1961, under sub-section (2) of section 28A of the Indian Boilers Act, 1923. [Placed in Library *See* No. LT-2921/61].

STATEMENT REGARDING SAFETY EDUCATION AND PROPAGANDA IN MINES

**The Deputy Minister of Labour (Shri Abid Ali):** On Behalf of Shri L. N. Mishra, I beg to lay on the Table a statement regarding Safety Education and Propaganda in Mines. [Placed in Library. *See* No. LT-2922/61.]

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**12·35 hrs.**

## INDIAN RAILWAYS (AMENDMENT) BILL*

**The Deputy Minister of Railways (Shri S. V. Ramaswamy):** On behalf of Shri Jagjivan Ram, I beg to move for leave to introduce a Bill further to amend the Indian Railways Act, 1890.

**Mr. Speaker:** The question is:

"That leave be granted to introduce a Bill further to amend the Indian Railways Act, 1890.".

*The motion was adopted.*

**Shri S. V. Ramaswamy:** I introduce† the Bill.

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**12.36 hrs.**

## DELHI (URBAN AREAS) TENANTS RELIEF BILL—*contd.*

**Mr. Speaker:** The House will now proceed with the further clause-by-clause consideration of the Bill to provide relief to the tenants of land in the urban areas of the Union Territory of Delhi.

The time allotted for this Bill was 3 hours. The time already taken is 3 hours. How long more is it likely to take?

**The Minister in the Ministry of Home Affairs (Shri Datar):** It will not take more than two or three minutes.

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*Published in the Gazette of India Extraordinary Part II Section 2, dated 2nd April, 1961.

†Introduced with the recommendation of the President.

**Shri Braj Raj Singh** (Firozabad): What? Two or three minutes?

**Shri Datar:** So far as this matter is concerned, yesterday I had moved an amendment. My hon. friend Shri Tyagi said that that was not clear enough. Therefore, I have given notice of a very clear amendment in this respect to leave no scope for doubt. My amendments are as follows:

I beg to move:

Page 3, line 14—

*after* the words "is instituted" *insert* "during the period when he is under disability or". (10)

Page 3, line 15—

*omit* "a person". (11)

So, these amendments cover the whole thing

**Shri Tyagi** (Dehra Dun): I thank my hon. friend. I am grateful to him for these amendments.

**Shri Datar:** At page 3, line 15, the word 'person' is to be omitted, because it is not necessary there.

**Shri Braj Raj Singh:** Are these amendments which are being moved just now, or have they been circulated?

**Shri Tyagi:** I withdraw my amendment in the light of the amendments now moved by the hon. Minister.

**Shri Datar:** These are only by way of clarification.

**Shri Braj Raj Singh:** It is not a case of clarification, but it is a substantial amendment which has now been moved by the hon. Minister.

**Shri Datar:** I had moved an amendment yesterday. Shri Tyagi thought that that was not clear enough. That is the reason why I have now moved a substitute clarificatory amendment.

**Shri A. P. Jain** (Saharanpur): It is a good amendment, and it must come in.

**Shri Braj Raj Singh:** May I be provided with a copy of the amendments, because they have not been circulated?

**Shri Tyagi:** It was only when I raised the objection and said that I wanted to move an amendment to the amendment that the Chairman adjourned the House yesterday. Now, after the change of these words, I do not feel that there is any need to move my amendment. The Government amendment is more than enough, and I am fully satisfied. Therefore, you may proceed with the voting.

**Mr. Speaker:** I shall place the amendments before the House. The hon. Member will have an opportunity to speak on them. Amendments moved:

Page 3, line 14—

*after* the words "is instituted" *insert* "during the period when he is under disability or". (10)

Page 3 line 15—

*omit* "a person". (11)

These are the two amendments which the hon. Minister has moved, evidently in pursuance of what Shri Tyagi tried to move by way of an amendment to the amendment.

**Shri Braj Raj Singh:** I only want to look into the amendment. My only point was this. I felt perhaps that the amendment which the hon. Minister is now moving might mean that the disabled person, even during the pendency of disability, will be entitled to construct a shed, a business-house and so on. Is that the intention?

**Shri Datar:** Yes, that was the intention.

**Shri Braj Raj Singh:** If that is the inteition, then it goes against the spirit of this provision.

**Shri Datar:** It does not go against the spirit. In fact, a longer period is allowed, namely 'either during disability' or 'within two years thereafter'. For, the underlying idea is that when he is under conditions of disability, he might or might not be in a position to carry out these works. Now, what has been done is this. In answer to Shri Tyagi's desire, which is quite correct, it has been provided that either during the disability or within two years thereafter, he can do so.

**Dr. M. S. Aney** (Nagpur): May I suggest that the hon. Minister may read out the clause as proposed to be amended?

**Shri Datar:** Yes.

**Mr. Speaker:** He can file a suit both during the disability and after the disability.

**Shri Datar:** Yes.

**Shri Braj Raj Singh:** What is the relief being given to the tenant? My point is that this Bill was going to give certain reliefs to the tenant. If that is accepted, this proposed amendment will mean that the 'disabled' person can eject the tenant.

**Shri Datar:** The hon. Member is not correct because circumstances have been pointed out where it would be open to a landholder to resume possession also. That has also been included.

**Shri A. P. Jain:** I think the proposal made by Shri Tyagi is a very sound proposal, because this is not the only law where this provision is being made, but there are a large number of laws where certain persons under disability, although they are not deprived of seeking remedy during the period of disability, are given an additional right, that is, when they are freed from disability, they can exercise that right within a certain period. This is because a minor may not be in a position to exercise the right during minority. So the Limitation Act and certain other Acts give him the additional right of exercising that right within a certain period of attaining majority. But that does not mean that during his minority, he or she is deprived of that right.

Therefore, the amendment is in itself an enabling amendment. It is very sound and is in consonance with the corresponding provision in a large number of laws that have been passed by this House and by other legislatures.

**Shri Braj Raj Singh:** It is in contravention of the spirit of this Bill.

**Some Hon. Members:** No, no.

**Shri Braj Raj Singh:** This Bill says that it is going to confer certain reliefs on the tenants in the urban territory of Delhi. This particular amendment will go against the tenant who will be in possession of the landholding. That is my point.

**Mr. Speaker:** It is a question of balance of convenience between a minor on the one side and the tenant on the other. Hon. Members must make up their mind on this. If they say that the tenant ought not to be evicted, notwithstanding the fact that the minor himself requires the house, that is one thing. It is for them to decide. As the Bill stands, it appears—I am not certain—that the interpretation may be that his right to file a suit to evict a tenant becomes exercisable only after he attains majority. He must do so within a couple of years of attaining majority. That is the kind of interpretation that may be given to the existing clause.

**Shri Datar:** That was given yesterday.

**Mr. Speaker:** Shri Braj Raj Singh's view is that the minor ought not to exercise the right of ejecting the tenant so long as he is a minor. No doubt, he is in favour of the tenant. That is one view. The question is whether a minor ought to be prevented from exercising that right during minority. Are we trying to put a disability on him in the process of trying to help the tenant? The choice is between a tenant and a minor who is the landlord. It is for the House to decide. I will put the amendments to the vote of the House.

**Shri Braj Raj Singh:** May I make a submission? The spirit of this Bill which we are going to enact was to award certain reliefs to the tenants who are situated in the urban areas of Delhi. While moving for consideration of the Bill, the Minister said that these tenants who are in the urban territory of Delhi are in a special category by themselves, because the areas shall be coming under jurisdiction of the Central Government and so on. My point is this: after this Bill is passed into law, if a disabled person decides that he will construct a business premises as mentioned in this sub-clause, he will be entitled to eject the tenant. This Bill is meant for giving reliefs to the tenant. We are not at present concerned with the minor as such. We are presently concerned with the relief to be given to the tenant. The avowed intention of this law is to give relief to the tenant. But this will go against that intention.

**Shri Tyagi:** I had argued this yesterday. I would repeat it in two words with your indulgence. Widows are disabled persons, and their disability is removed as soon as they remarry. So if it were to be kept as it is, then widows during their widowhood could not take any advantage of the land left by their husbands, but immediately they remarry they can eject the tenants. Is that a reward for remarriage?

My submission is that factually speaking, originally this concession was sought to be given to the widows during her widowhood because she could put up some house, earn some rental, bring up her children and could just live. It was a concession originally meant to be given to the widow. Only the wordings were wrong. Therefore, these are being put right by the Minister.

**Shri Warior** (Trichur): We know what is the relief given to the minor and widow. But what is the relief being given to the tenant?

**Mr. Speaker:** We cannot have both. That is what they said. I have absolutely no say in this matter. I am trying to explain to the House before they vote what exactly they are voting for. As the Bill stands at present, there is a further disability on a disabled person who is a minor from evicting a tenant. Now that disability is sought to be removed. Even when he is a minor, he can do so. Shri Tyagi says that if a widow is the holder and if she remarries, *sui juris* she can exercise that right, even though originally the intention was to give this right to her even during her widowhood. Now it is asked: why should a minor be put under a greater disability? So it is for the House to decide as they choose.

**Shri Warior:** But it is not the minor who is determining it but somebody else.

**Mr. Speaker:** That is true.

**Shri Warior:** It may or may not be in the interest of the minor. He is not competent to determine.

**Mr. Speaker:** True. After the father dies, we leave the minor to the care of somebody who gives him food. So far as his food, education and other things are concerned, they must determine. But so far as the property is concerned, nobody should take care of it—is that the idea? Much can be said on both sides.

**Shri Braj Raj Singh** *rose*—

**Mr. Speaker:** I am not arguing. I have no vote.

The question is:

Page 3, line 14,—

*after* the words "is instituted", *insert* "during the period when he is under disability or" (10)

Page 3, line 15,—

*omit* "a person". (11).

I will explain this for the benefit of the Members. Originally a minor was not allowed to file a suit to evict a tenant until he attained majority—within a period of two years after he had attained majority. By this amendment power is sought to be given to him even during his disability if he so chooses to file the suit.

The question is:

Page 3, line 14—

*after* the words "is instituted" *insert* "during the period when he is under disability or." (10).

Page 3, line 15—

*omit* "a person". (11).

*The House divided.*

**Shri Dasappa** (Bangalore): I am very sorry. There is a slight mistake. I have pressed the wrong button. I wanted to vote for the *'Ayes'*. (*Interruptions*).

**Mr. Speaker:** So, I must add one to the 'Ayes' and substract one from the 'Noes'.

**Some Hon. Members** *rose*—

**Mr. Speaker:** I will consider one by one. Shri Bajaj. Did he vote?

**Shri Kamalnayan Bajaj** (Wardha): I pressed the button; but it is not working. I wanted to vote for the 'Ayes'.

**Shri Bakliwal** (Durg): Sir, I voted but it has not come out.

**Mr. Speaker:** Did he vote at all?

**Shri Bakliwal:** Yes, Sir; I wanted to vote for the 'Ayes'.

**Mr. Speaker:** What about the other hon. Member? Did he vote?

**Shri Hanmanth Rao** (Medak): Yes, Sir. I voted for the 'Ayes', but it has not come.

**श्री भवानी प्रसाद** (सीतापुर-रक्षित अनुसूचित जातियां) : मैं ने दबाया था लेकिन वह आया नहीं ।

**Shri D. Ering** (North East Frontier Tract): Sir, I pressed the button but it has not been recorded.

**Mr. Speaker:** Did he vote?

**Shri D. Ering:** Yes, Sir. I voted for the 'Ayes'.

Division No. 4] **AYES** [12.55 hrs.

Abdul Latif, Shri
Agadi, Shri
Aney, Dr. M. S.
Asthana, Shri Lila Dhar
Atchamamba, Dr.
Babunath Singh, Shri
Bajaj, Shri Kamalnayan
Bakliwal, Shri
Banerji, Shri P. B.
Banerji, Dr. R.
Barupal, Shri P. L.
Basappa, Snri
Basumatari, Shri.
Bhagat, Shri B.R
Bhakt Darshan, Shri
Bhawani Prasad, Shri
Birbal Singh, Shri
Birendra Bahadur Singhji, Shri
Braham Prakash Ch.
Brajeshwar Prasad, Shri
Chandak, Shri
Dasappa Shri
Datar, Shri
Dwivedi, Shri M. L.
Ering, Shri D.
Ganga Devi, Shrimati
Guha, Shri A. C.
Hajarnavis, Shri
Harvani, Shri Ansar
Hathi, Shri
Jain, Shri A. P.
Jangde, Shri
Jinachandran, Shri
Joshi, Shri A. C.
Kamble, Dr.
Karmarkar, Shri
Kasi Ram, Shri V.
Khwaja, Shri Jamal
Kistiaya, Shri
Laihiri, Shri
Laxmi Bai, Shrimati
Mafida Ahmed, Shrimati
Majithia, Sardar
Malhotra, Shri Inder J.
Mandal, Shri J.
Maniyangadan, Shri
Manjula Devi, Shrimati
Mehta, Shri B. G.
Mehta, Shri J. R.
Mehta, Shrimati Krishna
Melkote, Dr.
Minimata, Shrimati
Mishra, Shri Bibhuti
Mishra, Shri M. P.
Mishra, Shri R. R.
Mishra, Shri S. N.
Misra, Shri B. D.

Misra, Shri R. D.
Mohiuddin, Shri
Morarka, Shri
Nasir, Shri C.K.
Nallakoya, Shri
Naskar, Shri P.S.
Nayar, Dr. Sushila
Nehru, Shri Jawaharlal
Nehru, Shrimati Uma
Oza, Shri
Padam Dev, Shri
Pande, Shri C. D.
Pandey, Shri K. N.
Pnagarkar, Shri
Patel, Sushri Maniben
Patel, Shri P. R.
Patel, Shri Rajeshwar
Prabhakar, Shri Naval
Raghunath Singh, Shri
Rai, Shrimati Sahodrabai
Raj Bhadur, Shri
Ram Subhag Singh, Dr.
Ramaul, Shri S. N.
Ranbir Singh, Ch.
Rane, Shri
Rangarao, Shri
Rao, Shri Hanmanth
Rao, Shri Jaganatha
Rao, Shri Thirumala
Ray, Shrimati Renuka
Reddy, Shri Narapa
Reddy, Shri Ramakrishna
Reddy, Shri Rami
Reddy, Shri Viswanatha
Roy, Shri Bishwanath
Sadhu Ram, Shri
Saigal, Sardar A. S.
Samanta, Shri S. C.
Satyanarayana, Shri
Shah, Shrimati Jayaben
Shah, Shri Manabendra
Shah, Shri Manubhai
Shankaraiya, Shri
Sharama, Shri D. C.
Shree Narayan Das, Shri
Siddananjappa, Shri
Singh, Shri D. N.
Singh, Shri H. P.
Singh, Shri K. N.
Sinha, Shri Anirudh
Sinha, Shri K. P.
Sinha, Shri Satya Narayan
Snatak, Shri Nardeo
Sonavane, Shri
Subramanyam, Shri T.
Sultan, Shrimati Maimoona
Tariq, Shri A. M.
Thimmaiah, Shri
Tiwari, Pandit D. N.
Tyagi, Shri
Uike, Shri
Verma, Shri B. B.
Viswanath Prasad, Shri
Wodeyar, Shri

**NOES**

Banerjee, Shri S. M.
Barua, Shri Hem
Bharucha, Shri Naushir
Braj Raj Singh, Shri
Dharmalingam, Shri
Gaikwad, Shri B. K.
Ghose, Shri Bimal
Kar, Shri Prabhat
Matin, Qazi
Menon, Shri Narayanankutty
Panigrahi, Shri Chintamoni
Parvathi Krishnan, Shrimati
Rao, Shri T. B. Vittal
Suganchi, Shri
Warior, Shri

**Mr. Speaker:** The result of the Division is: Ayes 121—Noes—15.

*The motion was adopted.*

**Mr. Speaker:** There were two amendments moved yesterday by the Home Minister out of which, I think, he does not press amendment No. 8.

**Shri Datar:** But, I press the other amendment No. 7, Sir.

**Mr. Speaker:** I think the hon. Minister has the leave of the House to withdraw amendment No. 8.

*(The amendment was, by leave, withdrawn).*

**Mr. Speaker:** The question is:

Page 2, lines 34 and 35 –

*omit* "in the manner or to the extent customary in the locality in which the land is situated". (7)

*The motion was adopted.*

**Mr. Speaker:** The question is:

"That clause 3 as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 3, as amended, was added to the Bill.*

**Clauses 4 to 9**

**Mr. Speaker:** There are no amendments to clauses 4 to 9. I will put them together.

The question is:

"That clauses 4 to 9 stand part of the Bill."

*The motion was adopted.*

*Clauses 4 to 9 were added to the Bill.*

**Mr. Speaker:** The question is:

"That Clause 1, the Enacting Formula and the Title stand part of the Bill."

*The motion was adopted.*

*Clause 1, the Enacting Formula and the Title were added to the Bill.*

**Shri Datar:** Sir, I beg to move:

"That the Bill, as amended, be passed."

**Mr. Speaker:** Motion moved:

"That the Bill, as amended, be passed."

**श्री ब्रजराज सिंह** : अध्यक्ष महोदय, मुझे दुःख है कि कांग्रेस सरकार ने यह देखने की कोशिश नहीं की कि जो संशोधन वह पास करने जा रही है उसका क्या अर्थ होगा। साफ तौर से यह बिल काश्तकारों के भले के लिए लाया गया है, उनको कुछ सुविधाऐं देने के लिए यह कानून बनाया जा रहा है। लेकिन जो संशोधन अभी सदन ने स्वीकार किया है उसके मुताबिक काश्तकार को बेदखल करने का अधिकार जमींदार को आप दे रहे हैं और अधिकार ही नहीं दे रहे हैं बल्कि आप उसको यह अधिकार दे रहे हैं कि अगर वह चाहे तो उसको कल से ही बेदखल कर सकता है।

**13 hrs.**

दिल्ली का नगरीकरण अधिकाधिक हो रहा है और अधिकाधिक वे जमीने जिनको काश्तकार जोतते थे वे मकानों के नीचे आ रही हैं या उनका व्यापारिक क्षेत्र के लिए इस्तैमाल किया जा रहा है। ऐसी हालत में ऐसा संशोधन स्वीकार करना जिससे काश्तकार को अपनी जमीन से वेदखल होने का खतरा तुरन्त पैदा हो जाता है, मैं समझता हूं कि इस बिल की भावनाओं के खिलाफ जाता है। अच्छा होता कि सरकार इस तरह का संशोधन पेश न करती और ऐसा प्रयत्न करती जिससे काश्कारों के अधिकारों व हितों की रक्षा की अधिकाधिक सम्भावना होती। आप कहते तो हैं कि हम काश्तकार के हित में कानून बनाने जा रहे हैं लेकिन काश्तकार के बजाए आप जमींदार को अधिक अधिकार दे रहे हैं। आप उसको अधिकार दे रहे हैं; कि वह चाहे तो उस जमीन को जिसे काश्तकार जोत रहा है, मकान बनाने के लिए, बिजनेस प्रेमिसेज के लिए, कैटिल-शैड बनाने के लिए या जोतने के लिए काश्तकार को बेदखल करके ले सकता है। मैं समझता हूं कि यह सरकार की उसी नीति का द्योतक है, जिसके मुताबिक उसने दिल्ली में अब भी लैंडलार्डिज्म और ज़मींदारी कायम रखी हुई है। इस विधेयक में जो व्यवस्था की गई है, उससे किसानों और काश्तकारों के हितों और अधिकारों की रक्षा और उनको संरक्षण देने का जो हमारा उद्देश्य है, वह पूरा नहीं हो सकेगा।

**परिवहन तथा संचार मंत्रालय में राज्य-मंत्री (श्री राज बहादुर)**: गलत है।

**श्री ब्रजराज सिंह**: ग़लत कह देने मात्र से यह उद्देश्य पूरा नहीं हो जायेगा। अगर इस पूरे कानून को पढ़ा जाये, तो यही प्रकट होगा कि काश्तकार को बेदखल करने के अधिकार को इस कानून के द्वारा बढ़ा दिया गया है, जो कि सरकार का इन्टेशन और उसका मंशा नहीं होना चाहिए। मैं समझता था कि इस कानून में ऐसी व्यवस्था की जायेगी, जिससे काश्तकारों को अपनी रक्षा के लिये और अधिकार मिलेंगे, लेकिन और अधिकार देने के बजाय, उनके अधिकारों की रक्षा करने के बजाय, जो कुछ भी अधिकार इस संबंध में हो सकते हैं, उनको इस कानून के द्वारा छीनने की कोशिश की जा रही है। मैं चाहूंगा कि यदि मंत्री महोदय ने इसके उद्देश्य और अर्थ को अच्छी तरह न समझ पाया हो, तो वह इस बारे में फिर से गम्भीरतापूर्वक विचार करें और यदि वह समझें कि वास्तव में इस बिल के द्वारा काश्तकारों के हितों की हानि हो रही है, तो इस में परिवर्तन करके उनके हितों की रक्षा करने की व्यवस्था करें। मैं समझता हूं कि हम सब का यह

लक्ष्य है कि जो ज़मीन को जोतता है, जो बोता है, जिसके हल की फाल के नीचे ज़मीन रहती है, वही ज़मीन का मालिक हो और वह व्यक्ति मालिक न हो, जो अलग रह कर दूसरों से काम करवाये। अगर सरकार का भी यही लक्ष्य है, तो मैं आशा करता हूं कि वह ज़रूर ऐसी कार्यवाही करेगी, जिससे इस उद्देश्य की पूर्ति हो सके।

आप जानते हैं कि दिल्ली का नगरीकरण अधिकाधिक हो रहा है। ऐसी सूरत में अब समय आ गया है कि सरकार को कोई ऐसे सिद्धान्त प्रतिपादित करने चाहिए, जिनके मुताबिक किसानों को उनकी ज़मीन का उचित मुआवज़ा बाज़ार भाव से मिले। इस दिशा में अभी तक कोई प्रयत्न नहीं हुआ है। किसानों से बहुत कम पैसे में ज़मीन ली गई है। उन को बर्बाद किया गया है, उन्हें भिखारी बनाया गया है। उनकी ज़मीनों पर बड़े-बड़े भवन और महल बनाये गये हैं, लेकिन उन्हें उचित मुआवज़ा नहीं मिल पाया है। मैं निवेदन करना चाहता हूं कि जब हम यह कानून पास कर रहे हैं, तो सरकार इस बात पर विचार करे। १८९२ के लैंड एक्वीजीशन एक्ट में दिये गये मुआवज़े सम्बन्धी प्रतिक्रिया वादी सिद्धान्त को खत्म करके ऐसा सिद्धान्त लाग करें, जिससे किसान को अपनी ज़मीन का उचित मुआवज़ा मिले सके और उसको देश में दूसरे नागरिकों के समान रहने का अधिकार हो।

**Shri Datar:** Sir, it is true that certain valuable rights or reliefs had been given to the tenants; along with them there are certain obligations and in the present context, Sir, you will kindly see that clause 3(2) states that a tenant may be ejected from the land held by him by a landlord under certain circumstances. It is only here that a change has been made. Therefore, along with the rights or reliefs given to them, there are certain obligations and these have only been clarified.

**Mr. Speaker:** The question is:

"That the Bill as amended, be passed".

*The motion was adopted.*

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**13.04 hrs.**

## MARKING OF HEAVY PACKAGES (AMENDMENT) BILL

**The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur):** Sir, I beg to move:

"That the Bill to amend the Marking of Heavy Packages Act, 1951 be taken into consideration."

The International Labour Conference at its 12th session held at Geneva in May-June 1929 adopted a convention concerning the marking of weight on heavy packages transported by vessels by sea or inland waterways. This convention was ratified by India in 1931 and in order to give effect to the provisions of the convention an Act called the Marking of Heavy Packages Act, 1951 was enacted by the Indian Parliament. It came into force with effect from 1st November 1951.

**13.05 hrs.**

[SHRI JAGANATHA RAO *in the Chair*]

Section 3 of the Act lays down that every person consigning a heavy package for transport by sea or inland waterway from any place in India is obliged to mark thereon plainly, durably and conspicuously the gross weight on the package, etc. and section 4 prescribes the penalty for the contravention of the provisions of section 3 of the Act. Subsequently, it has turned out that there is no authority provided in this enactment for the enforcement of the provisions of this Act or for the administration thereof. It has, therefore, been found necessary to do so

[Shri Raj Bahadur]

because attention has been drawn to this particular lacuna from more than one quarter. After consultation with the Ministry of Law, we have proposed that necessary provision in this behalf should be made so that there should be some authority appointed for the enforcement of the Act. Opportunity has also been taken to provide in the Act itself for complaints of offences under the Act being laid before a court within six months of the date of the offence. It is a salutary measure which is necessitated by the circumstances and the need of the situation and I hope it will be accepted by the House.

**Mr. Chairman:** Motion moved:

> "That the Bill to amend the Marking of Heavy Packages Act, 1951, be taken into consideration."

**Shri Warior** (Trichur): Sir, I do not want to speak at length on this Bill but we should like to know how this has become necessary. Looking into the discussions and reports of the ILO, we find certain things. The original measure of 1951 had been implemented till this time. According to the ILO convention, the Governments which have accepted these conventions or ratified these conventions have to submit certain reports. I searched the whole Reference Library and could not find any material at all as far as those reports are concerned. But at the same time mention is made that this is a very important measure. How it has come in the ILO itself is not known. This goes along with certain other conventions like the prevention of accidents and safety measures and other matters concerning labour. So, I would like the hon. Minister to clarify these things. Let us know what it is after all. Of course any measure can be brought in like that and it will have the support of the House but that is not the main point. How this convention has been implemented, what is the experience out of it and what sort of report we have sent to the ILO and why this enactment has been necessitated after ten years of the original Act—all these things must be known to us. Then only we can give our approval or voice our disapproval.

**Mr. Chairman:** Any other hon. Member wishing to speak? None. The hon. Minister.

**Shri Raj Bahadur:** I think, Sir, I had already mentioned in brief the background for this Bill. Now for the sake of my hon. friend opposite I will go a little further in detail. The fact of the matter is that for the security or safety of the vessels at sea as also for the security of the labour that handles the cargoes and heavy packages and for their convenience this ILO convention was adopted. And our country accepted this convention as far back as 1931 and it was actually put into practice only in 1951 when the necessary enactment for that purpose was made. Even after that it appears that the necessary authority who should be appointed to enforce that Act was not there and hence we have come to the conclusion that this Bill is necessary. It was thought that by some change in the rules framed under this Act that can be done but the Law Ministry said that it might not suffice and ultimately we have come to the conclusion that necessary provision should be made in the Act itself and hence this amending Bill.

If you ask me as to what has been our experience about this matter, on information supplied to me I can say that there have not been so far any serious contraventions of the provisions of the Act and the rules made thereunder at the major ports. This by itself shows that this rule has been adopted in practice by all those concerned. It may be that for certain offences under the Act, when they come to notice, there may not be sufficient machinery for the enforcement of the Act. That is why the amendment has been brought be-

fore the House and I think the House will accept it.

**Mr. Chairman:** The question is:

"That the Bill to amend the Marking of Heavy Packages Act, 1951, be taken into consideration."

*The motion was adopted.*

**Clause 2**

**Mr. Chairman:** The question is:

"That clause 2 stand part of the Bill".

*The motion was adopted.*

*Clause 2 was added to the Bill.*

**Clause 1** —(*Short title*)

**Shri Raj Bahadur:** I beg to move:

Page 1, line 4,—

*for* "1960" *substitute* "1961". (2).

**Mr. Chairman:** The question is:

Page 1, line 4,—

*for* "1960" *substitute* "1961". (2).

*The motion was adopted.*

**Mr. Chairman:** The question is:

"That clause 1, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 1, as amended, was added to the Bill.*

**Enacting Formula**

**Shri Raj Bahadur:** I beg to move:

Page 1, line 1,—

*for* "Eleventh Year" *substitute* "Twelfth Year". (1).

**Mr. Chairman:** The question is:

Page 1, line 1,—

*for* "Eleventh Year" *substitute* "Twelfth Year". (1).

*The motion was adopted.*

*The Enacting Formula, as amended, was added to the Bill.*

*The Title was added to the Bill.*

**Shri Raj Bahadur:** I beg to move:

"That the Bill, as amended, be passed".

**Mr. Chairman:** The question is:

"That the Bill, as amended, be passed."

*The motion was adopted.*

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**13.12 hrs.**

## DEMANDS FOR EXCESS GRANTS (GENERAL)*, 1958-59

**Mr. Chairman:** The House will now proceed to the discussion and voting on the Demands for Excess Grants in respect of the Budget (General) for 1958-59.

### DEMAND NO. 1—MINISTRY OF COMMERCE AND INDUSTRY

**Mr. Chairman:** Motion moved:

"That a sum of Rs. 2,23,716, be granted to the President to make good an excess on the grant in respect of 'Ministry of Commerce and Industry for the year ended the 31st day of March, 1959'."

### DEMAND NO. 31—OPIUM

**Mr. Chairman:** Motion moved:

"That a sum of Rs. 1,98,432, be granted to the President to make good an excess on the grant in respect of 'Opium for the year ended the 31st day of March, 1959'."

### DEMAND NO. 37—SUPERANNUATION ALLOWANCES AND PENSIONS

**Mr. Chairman:** Motion moved:

"That a sum of Rs. 3,34,105 be granted to the President to make good in excess of the grant in respect of 'Superannuation Allow-

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*Moved with the recommendation of the President.

[Mr. Chairman.]

ances and Pension for the year ended the 31st day of March, 1959'."

DEMAND No. 48—MEDICAL SERVICES

**Mr. Chairman:** Motion moved:

"That a sum of Rs. 79,170, be granted to the President to make good an excess on the grant in respect of 'Medical Services for the year ended the 31st day of March, 1959'."

DEMAND No. 51—MINISTRY OF HOME AFFAIRS

**Mr. Chairman:** Motion moved:

"That a sum of Rs. 2,66,056 be granted to the President to make good an excess on the grant in respect of 'Ministry of Home Affairs for the year ended the 31st day of March, 1959'."

DEMAND No. 52—CABINET

**Mr. Chairman:** Motion moved:

"That a sum of Rs. 39,193, be granted to the President to make good an excess on the grant in respect of 'Cabinet for the year ended the 31st day of March, 1959'."

DEMAND No. 60—HIMACHAL PRADESH

**Mr. Chairman:** Motion moved:

"That a sum of Rs. 14,70,042 be granted to the President to make good an excess on the grant in respect of 'Himachal Pradesh for the year ended the 31st day of March, 1959'."

DEMAND No. 69—MINISTRY OF IRRIGATION AND POWER

**Mr. Chairman:** Motion moved:

"That a sum of Rs. 69,073 be granted to the President to make good an excess on the grant in respect of 'Ministry of Irrigation and Power' for the year ended the 31st day of March, 1959'."

DEMAND No. 99—DEPARTMENT OF ATOMIC ENERGY

**Mr. Chairman:** Motion moved:

"That a sum of Rs. 16,413 be granted to the President to make good an excess on the grant in respect of 'Department of Atomic Energy' for the year ended the 31st day of March, 1959'."

DEMAND No. 121—CAPITAL OUTLAY OF THE MINISTRY OF HEALTH

**Mr. Chairman:** Motion moved:

"That a sum of Rs. 7,82,071 be granted to the President to make good an excess on the grant in respect of 'Capital Outlay of the Ministry of Health' for the year ended the 31st day of March, 1959'."

DEMAND No. 132—CAPITAL OUTLAY ON CIVIL AVIATION

**Mr. Chairman:** Motion moved:

"That a sum of Rs. 7,52,019 be granted to the President to make good an excess on the grant in respect of 'Capital Outlay on Civil Aviation for the year ended the 31st day of March, 1959'."

**Shri T. B. Vittal Rao** (Khammam): Mr. Chairman, Sir, I want to make a few observations on the demands for excess grants. Firstly, I would like to have an explanation from the hon. Minister. Certain items by way of excess grants are being brought forward through the recommendations made by the Public Accounts Committee made in their 32nd report. The report was presented to this House in December, 1960. What are the reasons for the delay of four months in presenting these demands for excess grants? I am afraid the Finance Ministry is not working vigorously. The Ministry seems to work in a leisurely way. For instance, the other day, when there was a notification made sometime in February last was being laid on the Table of the House,—it was being

laid on the Table of the House sometime in April—I brought that aspect to the notice of the Speaker and asked as to how it was that there had been a delay of two months in laying the copy of the notification on the Table of the House. The Speaker was pleased to say that the Finance Minister should make a statement about the delay in laying it on the Table of the House. On several occasions, he had ruled that as soon as a notification was issued, a copy of it should be laid on the Table of the House. In spite of the Speaker's directions or instructions, the Finance Minister has not so far come out with a statement, explaining the reasons for the delay.

**The Deputy Minister of Finance (Shri B. R. Bhagat):** It has been sent to the Secretariat. I think it will come to the hon. Member also.

**Shri T. B. Vittal Rao:** I would like to have a categorical assurance to the effect that these things will not be repeated. The Public Accounts Committee made a report which was presented to the House in December 1960. The hon. Minister should have come forward with the demands in February itself.

Then, I would like to draw the attention of the House to one aspect in regard to civil aviation. I am very glad that the Deputy Minister concerned is in the House so that he may help the Deputy Minister of Finance in giving an answer. The Public Accounts Committee, in their 32nd report which was presented to the House in December last, have questioned about certain expenditure connected with the Civil Aviation Department—Demand No. 132. The Committee asked as to why there was an expenditure to the tune of Rs. 7 lakhs and over as excess grant. The reason that was given by the Minister in charge of Civil Aviation was that certain works undertaken by the CPWD were accelerated. Were they not aware that the expenditure had to be incurred because the work had to be accelerated? They could have easily come to the House and asked for a supplementary grant. Here is a sum of Rs. 7 lakhs odd which was spent in excess of what had been granted originally. What have they got to say for this? What the Public Accounts Committee had to say is very relevant in this connection. I hope that the Finance Ministry and the Minister of Transport and Communications will draw a lesson out of the observations made by the Public Accounts Committee. Let me quote from page 9 of their report where they say as follows:—

> "The Committee are not convinced by this explanation. When the progress of the work has accelerated to achieve the target set out, the Ministry should have kept a closer watch over the payment for the works and provided for reasonable funds to avoid excesses. This is again a case of defective control over expenditure."

Although there is a statutory provision in the Constitution, namely, article 115, under which excess demands for grants can be passed, these are meant only for very, very emergent cases and in very rare cases. But from year to year this has become the practice in this House to see the Ministries coming forward with excess grants and making demands for these excess grants. The present item relates to the grant of Rs. 7 lakhs. How can I grant this sum of Rs. 7 lakhs? There is nothing given in the note: what are the works, where are the works, to which works these sums appertain, etc. All these details are not given. Simply Rs. 7 lakhs is mentioned. Is this the fashion in which this House is to be asked to vote for a sum of Rs. 7 lakhs? I think the House deserves a better treatment from the Treasury Benches than what they are doing now.

Secondly, I come to the item regarding pensions and superannuations—

[Shri T. B. Vittal Rao]

Demand No. 37. There, it is stated that the settlement of pension cases has been expedited. I am glad that they have expedited the payment of pensions. But still there are several cases pending with the Ministry for a settlement. I know some cases have been pending for more than a year. But what I would like to submit is that the forms that have to be filled and submitted by the dependents who are entitled for family pension and gratuity are very cumbersome. When a widow, for instance, has to apply for these benefits, she finds it very difficult to fill in the various forms. Some simple forms may be devised, and some method may be evolved so that these forms could be simplified.

Then I find a very interesting thing in these forms, in one of the footnotes. It is said that finger-prints have to be given in those forms. In the case of non-Indian who have been employed in India and when they go back, when they get a pension or the widows get pension, there is no question of finger-prints for them. I do not know why such an exemption should be made. Anway, this is a discrimination. But I would like to know why these finger-prints are necessary at all. I am not a lawyer or an advocate. But I think that the calling for finger-prints on the forms is a little out-of-date. The need for finger-prints in these forms is a little out-of-date in my opinion. I do not know, but I would only request the hon. Minister to examine the suggestion of mine; if it is possible, I would like them to do away with the finger-prints in the application for pension or gratuity.

Then it is stated that certain demands are due to the fact that the railway freights have come into the picture. When the demands for excess grants for the railways come in, I would speak on it a little more exhaustively, and I do not want to say anything on that now.

Then, in Demand No. 32, I find that one Minister has drawn his salary for the month of March in the same month. (*Interruptions*). I am sorry; it is demand No. 52. I am really confused when a responsible Minister draws his salary for the month of March in March itself. This is not done anywhere. I do not know why the Minister had gone out of pocket by Rs. 1,750. This is not permitted by the rules for gazetted or non-gazetted officers. They are not allowed to draw the salary for a month in that month itself. If at all, they are paid advance of salary which will be recovered in instalments. This is very strange that a Minister seems to violate the rules. I do not know what is provided for under the rules for salaries for Ministers and whether there is a rule for drawing pay for a month in that month itself. This is rather curious.

**Shri Braj Raj Singh** (Firozebad): Do you want that he should be dismissed?

**Shri T. B. Vittal Rao:** It is said here "this amount could not be included through oversight". Is this the way in which accounts are maintained? Is this the way in which audit exercises its check? This does not do any credit to the functioning of the Finance Ministry.

Then, there is an item "tour expenses Rs. 29,214." This is also due to debit raised by railways. I would deal with this also when railway demands are taken up.

One more important item is about demand No. 60—Himachal Pradesh. Here is an excess grant of Rs. 14,70,000 asked for. A sum of Rs. 14.28 lakhs has been asked for payment of freight and hire charges to private transport owners. In Himachal Pradesh, as far as I know, both passenger and freight —the whole transport system—is nationalised. How is it that private transport authorities have been allowed to ply their services in that par-

ticular place, because the whole thing is nationalised? There seems to be something wrong with the working of the transport department in Himachal Pradesh. It is a funny department where a technical man is not the head of the transport department; there is a non-technical man who is the head. When an amount of Rs. 14 28 lakhs has been asked for, I should have liked a little more explanation. That is why I asked the Minister whether he was going to make a statement while moving this demand for the acceptance of the House, because from this note, we are not able to make out anything and we have to go through all the PAC reports in this short period. I would like to have an explanation regarding this.

These are the few observations I have to make on these demands for excess grants.

**Shri D. C. Sharma** (Gurdaspur): Sir, I think most of the observations made by the hon. Member over there are out of all proportion to the excess demands for grants which have been put forward by the Finance Ministry. In most cases, the excess is only to extent of 1 per cent. and in a few cases it is to the extent of 2 per cent. I think in a budgeting of this kind, such small excesses should not be made a subject of such eloquent observations as the hon. Member has made.

But there is one thing. After going through this book, I have come to one conclusion that no adequate justification has been given for putting forward these demands. For instance, here is demand No. 132. It is said here that:

> "The expenditure during the last few months of the year, however, exceeded anticipation mainly on account of (a) accelerated progress of works, (b) execution of emergent works, (c) increase in the scope of projects and (d) unanticipated adjustment of the cost of materials."

You will agree with me that these generalisations can apply to any Ministry in the Government of India. The hon. Finance Minister should have told us for instance, what is the accelerated progress of works which he is referring to. Something concrete and specific should have been stated, but that has not been done. Then "execution of emergent works" What are those emergent works? How are we to know what they are? Then, "increase in the scope of projects". What are those projects? We are being asked to vote for this excess grant to the tune of Rs. 7 lakhs without being told what we are doing. This is like asking us to vote for these demands in a manner which I can describe as "blindly". I think more details should have been given than what have been provided by the Ministry.

I come to demand No. 60. Himachal Pradesh is one of the Union territories. Our Ministry of Finance is responsible for whatever is happening there. We foot the bill there and we have to finance the execution of the projects there. But I cannot understand what kind of budgeting it is that the actual expenditure is only about Rs. 4 crores and the excess is about Rs. 14 lakhs. Rs. 14 lakhs in terms of the financing of the Government of India is nothing; it is true because the Government of India deals with crores. But the tax-payer has to think in terms of every naya paisa every rupee, hundreds of rupees and thousands of rupees. Here he has been asked to vote for an excess grant of Rs. 14,70,042.

**An Hon. Member:** No naya paisa?

**Shri D. C. Sharma:** What is that grant meant for? It says:

> "Payment at the close of the year for the cost of fodder and concentrates required for animals in the first two months of the following year."

[Shri D. C. Sharma]

We are asked to dole out this money of Rs. 14 lakhs for fodder and concentrates required for animals and adjustment of unanticipated debits relating to the cost of sheep-shearing machines. I do not know what kind of machines they are which require so much money. Then, we are told that this money will be required, among other things, for purchase of bulls. What kind of bulls are they? Then, it is said here:

> "Construction of Sheep Breeding Farm at Chamba".

All these things are there. I think they are very desirable things, and they should be provided for. But I do not understand why so much money should be asked for. It is said here:

> "The receipts realised on account of hired private vehicles are credited to the receipt head and payments made to the owners of the vehicles on account of hire charges are treated as working expenses."

Here is the transport business, and in that transport business also we are being asked to shell out such a large sum of money. What I say is, in a Grant of this kind we should be given more details, and it should be justified why Rs. 14 lakhs are required by way of Excess Grants.

Then I come to Demand No. 58. This is very important. The excess was due to adjustment of arrear debits towards the close of the year and restoration in the later part of the year of a portion of the privy purse of a Ruler which was withheld temporarily in the earlier part of the year. Mr. Chairman, we would have been very much interested in knowing who this great Ruler was whose privy purse was withheld temporarily.

**Ch. Ranbir Singh** (Rohtak): And why it was withheld.

**Shri D. C. Sharma:** In the first place, we should have been told why it was withheld and, in the second place, we should have been told why it has been restored. This is something abnormal, and we should have been given all reasons for that. That has not been done. We are only told about some mythical prince....

**Shri A. M. Tariq** (Jammu and Kashmir): We do not know whether he is alive or not.

**Shri D. C. Sharma:** We are only told about a mythical privy purse. We are only told about the actual grant of the privy purse after six months. Why it has been done, we do not know. I agree with Shri Vittal Rao in one thing. He was talking about the pensions. I am sorry the Home Minister is not here.

**An Hon. Member:** The Deputy Minister is here.

**Shri D. C. Sharma:** Only the Deputy Minister in charge of Scheduled Castes and Scheduled Tribes is here.

**Dr. Ram Subhag Singh** (Sasaram): There are many Tribals in Himachal Pradesh.

**Shri D. C. Sharma:** I am sorry the hon. Home Minister is not here. Even the Minister in the Ministry of Home Affairs is not here. Why I want them to be here is this. I have been putting so many questions, all of us have been putting so many questions about pensions. Have the pensions been finalised? No. I think so many years have passed and some of these pensioners are being given only *ex gratia* payments or *ad hoc* payments.

**Shri Warior:** Provisional payments.

**Shri D. C. Sharma:** Their pensions have not been finalised. What is the jungle of rules about which so much time is being taken to be cleared? I cannot understand. About 14 years have passed and still we have not been able to finalise the rules for these pensions. We have not been given any justifiable reasons for this also. I may tell you, Sir, that now they have formed themselves into an association.

**Ch. Ranbir Singh:** Who has formed?

**Shri D. C. Sharma:** People form associations. For instance, there may be an association of cattle breeders of which the hon. Member may be...

**An Hon. Member:** Cattle lifters.

**Shri D. C. Sharma:** I am talking about the association of pensioners. Why have they formed themselves into an association? It is because they are not paid their pensions. It is up to the Home Ministry to tell us why they are delaying the finalisation of these rules, and why they are not coming forward to make the payment of pensions which are due to these people.

I hope, Sir, that in future it would be seen that whenever such Demands for Excess Grants are brought before the House we are told something specific about all these things. Unless that is done, I think these Grants do not acquire any kind of reality. That is why I request the hon. Minister to do it.

**Shri Chintamoni Panigrahi** (Puri): Mr. Chairman, Sir, I only want to refer to Demand No. 58 relating to privy purse and allowances to Indian rulers. Though it is a charged item and we are not going to vote on it, I think we can discuss it in this House. It has been stated that an appropriation of more than Rs. 5,42,18,000 was first made and then the actual expenditure went up to Rs. 5,43,48,778. The hon. Member, Shri Sharma has also referred to this matter. Recently, Sir, one of the hon. Members belonging to Ganatantra Parishad—a prominent Member—Shri Mahanty who has now left Ganatantra Parishad, met the Prime Minister and it appeared in the newspapers that the Prime Minister is reported to have told him that the Government has really become too much generous to these ex-rulers so far as payment of privy and allowances to the ex-rulers and their relations is concerned.

Sir, I would like to know what is the actual position. We find that the Government sometimes take a decision to withhold the payment of privy purse to a particular ruler because the Government is not satisfied with the behaviour of that ruler. Recently there was a case. So far as Bastar is concerned, the Maharaja of Bastar always used to support the Madhya Pradesh Government. So long as he was supporting the Congress Government there, there was no remark against him and he was a good boy. But the moment he went against the Government, particularly the Madhya Pradesh Government, there were charges of all kinds against him. It was said that he was a maniac and it was good that he was deposed. There the ruler was deposed and immediately after another man, his own younger brother, was made the Maharaja. Was it very necessary can't the government do without Maharaja? Sir, either the Government is not very much serious on this matter, or it thinks that whenever it suits the convenience of the Government it can utilise this provision and depose a ruler when it so likes and install another ruler if it so likes. Therefore, at least the House must know—because the Government has been given this latitude—whether the Prime Minister or the Government of this country is going to utilise this latitude to the advantage of the ruling party of this country.

Sir, the people of India are paying more than Rs. 6 crores every year on this account. I am told that this is a charged item under the Constitution. But the people of Orissa are also paying towards this privy purse, and it is not being paid directly by the Government of India. The State Governments are paying because the Government of India stands guarantee under the Constitution for the payment of privy purses. The State Governments are actually paying these amounts to the rulers. Therefore for all times to come the principle must be finally settled, if the government

[Shri Chintamoni Panigrahi]

are really serious about the conduct of ex-rulers in this country, then, at least stop it.

**Shri B. R. Bhagat:** Sir, can this be raised on Excess Grants?

**Shri Chintamoni Panigrahi:** Why not? I told in the beginning that we were not going to vote on it. But we can discuss it.

**Shri B. R. Bhagat:** The House has granted that amount. The appropriation was accepted by the House. Only because of some un-anticipated adjustments if there is some excess, I do not think it is proper to discuss it.

**Shri Warior:** There is something said about withholding and again restoring it.

**Shri Chintamoni Panigrahi:** You withheld it from a ruler. What for? Did you tell the House about it? We do not know why you withheld it. Now you are coming with your Demand for Excess Grant. What for? Is it because it suited your whim that you withheld it then and now you are restoring it because it suits you again? Therefore, we are perfectly right in questioning you. I hope the hon. Deputy Minister will give us a satisfactory answer.

The Prime Minister feels concerned about this matter. It was reported in the papers, as I said, that the Prime Minister is very serious about this and he is thinking whether some steps should be taken for having taxes on the privy purses and allowances of the rulers. We do not know whether he is going to take some drastic measures against the conduct of ex rulers in this country. If the Government is really serious, then we must at least know what it is up to and how it is going to act. If not, we will have to come to the conclusion that Government has two voices and two different standards, so far as the rulers are concerned. It has got its own favourite rulers on whom it bestows all the privileges. But if the rulers go against the Government. It deposes them and takes action against them. I say this is wrong in principle. It must be finally settled for all times to come here and now. The people of India are not going to pay indefinitely these privy purses to the ex-rulers who are not behaving in a way which is really appropriate and befitting them, so far as the changing conditions in India at the present time are concerned.

**श्री ह० प्र० सिंह** (गाजीपुर) : सभापति जी, मैं डिमांड संख्या ३१ के बारे में यह निवेदन करना चाहता हूं कि ओपियम के सम्बन्ध में काफी खर्च बढ़ा है, जिसका कारण यह है कि रेलवे यातायात में बहुत ज्यादा खर्च होता है। गाजीपुर में ओपियम का सबसे बड़ा कारखाना है। देश के अन्य भागों से लगभग तीन, चार करोड़ रुपये का माल गाजीपुर आता जाता है और करीब-करीब चार, छः करोड़ का माल गाजीपुर से विदेशों में जाता है। आज स्थिति यह है कि गाजीपुर से बनारस मीटरगेज रेलवे लाइन ४६ मील है और बनारस से आगे ब्राडगेज रेलवे लाइन है। वहां स्टेशन पर बारह महीने गार्द रखना पड़ता है और माल को डिब्बों में इधर उधर उलट-पुलट करने में बहुत नुक्सान हो जाता है जिसकी काफी सुरक्षा करनी पड़ती है। इस प्रकार बाहर के देशों और हिन्दुस्तान के दूसरे भागों में जो अफीम भेजी जाती है, उसका खर्च बहुत ज्यादा बढ जाता है। इसलिये मैं इस सम्बन्ध में सब से अच्छा तरीका आपके सामने रखना चाहता हूं। गाजीपुर में गंगा नदी के एक किनारे पर अफीम की फैक्ट्री है और दूसरे किनारे पर ब्राडगेज रेलवे स्टेशन टारीघाट है। अगर गंगा पर ब्रिज बना कर टारीघाट को अफीम की फैक्ट्री से कनेक्ट कर दिया जाये, तो बड़ी आसानी से और बिना किसी परेशानी के यह समस्या हल हो सकती है और खर्च में बहुत कमी हो सकती है। यह ठीक है कि एक मर्तबा तो खर्च ज्यादा

करना पड़ेगा, लेकिन ओन दि होल यह खर्च बहुत कम हो जायगा ।

सरकार अफीम की खेती को उत्तरोत्तर बढ़ा रही है, लेकिन गाजीपुर या उसके करीब के जिलों में किसानों को इस के लाइसेन्स काफी मात्रा में नहीं दिये गये हैं । पहले तो वे दिये ही नहीं जाते थे । इस साल उनको देना शुरू किया गया है, लेकिन वे भी गाजीपुर के चन्द हिस्सों में दिये गये हैं । दूसरे करीब के जिलों में लाइसेन्स बिल्कुल नहीं दिये गये हैं मैं कहना चाहता हूं कि जहां पर इतना बड़ा कारखाना काम कर रहा हो जहां से चार छः करोड़ का माल बाहर भेजा जाता है और राजस्थान, मध्य प्रदेश आदि से अफीम मंगा कर बाहर भेजी जाती हो जबकि उस इलाके में ही किसान अफीम अधिक से अधिक पैदा कर सकते हैं, तो वहां के किसानों को ही लाइसेन्स बढ़ाने चाहिएं जिसमें अफीम का उत्पादन भी काफी मात्रा में बढ़ाया जा सके । इसके अतिरिक्त किसानों को अफीम के दाम कम मिलते हैं, जबकि सरकार बाहर उसका काफी पैसा वसूल करती है । इस तरफ भी ध्यान देने की आवश्यकता है ।

गाजीपुर में जो ओपियम फैक्ट्री है, वहां माल का काफी नुक्सान होता है और चोरी भी होती है । उस तरफ सरकार का ध्यान बिल्कुल नहीं गया है । मैं कहना चाहता हूं कि ओपियम बहुत महंगा सौदा है, इसलिये इस तरफ भी थोड़ा ध्यान देना चाहिए, ताकि जो नुक्सान हो रहा है, उसको बचाया जा सके ताकि सरकार की आमदनी बढ़े ।

मैंने जो सुझाव दिये हैं कि ओपियम पर निगरानी बहुत अच्छी तरह होनी चाहिए और ब्रिज बना कर रेल के खर्च को कम किया जाना चाहिए, आशा है कि सरकार उन पर विचार करेगी ।

**Shri Warior:** I want to make some observations on Demand No. 58. The hon. Deputy Minister was fighting shy and pointed out that this is a charged item. We know that under article 113 of the Constitution there cannot be any voting on this item as it is a charged one. But he should not fight shy of facing this issue. I know this is a very ticklish and sensitive point.

**Shri T. B. Vittal Rao:** The ruling party is very touchy about it.

**Shri Warior:** There have been some developments recently which we want to bring to the notice of the House. Political parties are wooing the ex-rulers and now some of the ex-rulers are ready to shed their privileges. But, even then, certain quarters are not willing to take it that way. We do not know how or why, but there is open wooing of these princes to come into the political field.

Why was privy purse given to these rulers? There was a principle underlying that. The rulers were keeping aloof from the ordinary people, the common masses. They were considered as privileged people belonging to the aristocracy, unapproachable by others. They were in the upper strata of society, as distinct from the lower strata of the common people, unapproachable by the common masses So, they had to maintain some dignity, some status and some paraphernalia, which will cost them some money. The privy purse was given to them to meet that expenditure. As they are not ordinary people, the rights which are enjoyed by the common people should not be extended to them. If they want the privy purses, they must keep themselves aloof. They cannot, on one side, ask for the continuance of the privy purse and, on the other, ask for the rights and facilities which are enjoyed by the common people, as the two cannot be reconciled. Either they must become ordinary common citizens of this country, leaving all the privileges, and fight the battles

[Shri Warior]

of life in political, social and economic fields or they must remain where they are, satisfied with what they are getting as privy purses. In that case, we will not have any trouble from them.

The question of Bastar was raised. There are people in certain quarters in our political life who are wooing the princes and the princelings to come into their fold.

**Shri T. B. Vittal Rao:** Swantantra party.

**Shri Warior:** Yes. Swatantra party I did not mention Congress, because they are also a privileged party now. So, naturally, privileged party can approach privileged people. But now even new parties are approaching these privileged people. Then, what will be the position? The result will be that the free vote of the ordinary citizen will be jeopardised and will be in peril. If the privileged people are going to become unprivileged people and some princelings become privileged by means of privy purse or some other means, our democracy will be in jeopardy, the rights and interests of the ordinary common people will be harmed and, in course of time, there will be plutocracy and not democracy. Hence, this is a fit occasion when such demands must be discussed to make the party in power adopt a firm policy by taking certain steps. Of course, we cannot vote this down; we can only appeal to their good sense, their democratic sense in the name of our constituencies and in the name of the future of our country. We can only appeal to them that since we had so many experiences, bitter experiences, with these princes and princelings, it is time we thought, or applied our mind to the question, whether the privy purses should be continued and they should be kept aloof from the common people or their privy purses should be discontinued and the ex-rulers should become people fighting the battles of life just like any other citizen of this land.

**चौ० रणबीर सिंह** : सभापति महोदय, हमारे बहुत से माननीय सदस्यों ने बहुत ज्यादा बढ़ा चढ़ा कर बातें कही हैं और बहुत बढ़ा चढ़ा कर टीका-टिप्पणी की है। मैं कहना चाहता हूं कि १४१ ग्रांट्स हैं और उन १४१ ग्रांट्स में से सिर्फ १५ ग्रांट्स में ही मंजूर शुदा रकम से कुछ फालतू रुपया खर्च हुआ और वह भी शायद ५० लाख से नीचे ीचे है, ४४.१२ है। आमतौर पर आप जानते हैं कि हमारे यहां जो खाता रखा जाता है, उसमें क ोड़ से कम की गिनती कम ही होती है और इसका कारण यह है कि हजारों क ोड़ रुपया साल में खर्च करने की यह सदन मंजूरी देता है और एडमिनिस्ट्रेशन अपने काम को चलाने के लिए खर्च करता है और हजा ों करोड़ पये में एक आध करोड़ की गिनती नहीं े सकती है। बड़ी-बड़ी और नई-नई ोजना ें चालू करने के लि ये या जो पहले से चली आ रही हैं, उनको पूरा करने के लिए इस रुप े का स्तेमाल होता है।

मेरे माननीय ोस्तों ने गिला किया है कि ये प्रिवी पर्स क ों दि गये हैं या यह रकम पहले क्यों दी गयी थी। अगर उन्होंने यह बताया होता कि यह जो पया रोका गया है, यह किसी सियासी ुक्तेनिगाह से ोका गया है और इसी वजह से पेमेंट में दे ी की गई है या कांग्रेस पार्टी ने एडमिनिस्ट्रेशन के जरि इसको रुकवाया और राजा महाराजाओं को कांग्रेस पार्टी में शामिल करने के लिये ऐसा किया गया है, ो उनकी बात और उनकी टीका-टिप्पणी समझ में आ सकती थी। लेकिन उनको पता नहीं है कि किसी राजा का जो प्रिवी पर्स रोका गया था, वह क्यों रोका गया था। मैं मानता हूं कि इसके अन्दर कुछ हद तक जिम्मेदारी मंत्रालय की भी है। अगर मंत्रालय पूरी तरह से इस के कारण विस्तार से लि देता और इस तरफ ध्यान देता तो शायद जो टीका-टिप्पणी

हुई है और बेवक्त हुई है, वह बेवक्त की टीका-टिप्पणी न हुई होती। लेकिन जहां तक प्रिवी पर्स का ताल्लुक है और राजाओं को उनके दिये जाने का ताल्लुक है, मेरे भाई भल जाते हैं कि क्या वजह थी कि उनको प्रिवी पर्स दिये गये थे। इस बिना पर नहीं दियेगये थे कि वे इलैक्शन में हिस्सा न लें। वे इलैक्शन में हिस्सा ले सकते हैं। इस प्रश्न पर जब विधान बन रहा था विचार हुआ था कि इलैकशन में वे हिस्सा लें या न लें, इसकी उनको इजाजत हो या न हो। उस वक्त हमने कम्युनिस्ट पार्टी का जो विधान है, या जो उनका तरीका है, उसको कबूल नहीं किया। यह कम्युनिस्ट देशों का तरीका है कि लाखों की तादाद में जिन भाइयों को वे वैस्टिड इंटिरेस्ट का नुमाइंदा मानते हैं, राय देने से वंचित कर देते हैं। इस देश में हमने इस तरीके को कबूल नहीं किया और महात्मा गांधी जी के बताये हुए तरीके को कबूल किया। उनका कहना था कि बुराई से हमें बैर है, इंसान से वैर नहीं है।

आप जानते हैं कि चीन में तीस साल तक गृहयुद्ध चलता रहा है। वे किसी विदेशी राज से नहीं लड़े बल्कि आपस में ही लड़े हैं और इसमें देश की तबाही हुई है, बरबादी हुई है। तीस साल के बाद कुछ थोड़ा बहुत फैसला हुआ है और कम्युनिस्ट पार्टी वालों के हाथ में शासन की बागडोर आई है। करोड़ों रुपया उस देश का इस गहयुद्ध में खर्च हुआ होगा। आज भी आप देखें तो पता चलेगा कि कांगो के अन्दर लड़ाई और भेदभाव चल रहा है। जिन लोगों को प्रिवी पर्स देना विधान में मंजूर किया गया है उनके पास अपनी फौजें थीं, हथियार थे और वे इस देश में खानाजंगी करा सकते थे। उनके साथ सरकार ने वायदा किया था प्रिवी पर्स देने का और यह शरीफ आदमी का काम नहीं है कि वायदा करके उससे वह मुकर जाये। शरीफ आदमी का काम होता है कि वक्त गुजर जाने के बाद भी जो वायदा दिया गया है, उसको निभाये और अगर कोई बुरा वक्त भी आ जाता है तो उसमें भी अपने वायदे को न भूल जाये और अपने वायदे को निभाने की कोशिश करे। उन लोगों ने शान्ति से, अमन से अपने राज को इस देश के नुमाइंदों के हाथ में दे दिया और इस देश का एक नया नक्शा बनाने में हम लोगों की मदद की। उनके इस काम के लिए इनाम के तौर पर या मुआवजे के तौर पर ये प्रिवी पर्स दिये गये हैं। अगर कोई भाई समझते हैं कि ये इसलिए दिये गये हैं कि वे इलैकशन में न खड़े हों तो वे गलतफहमी में हैं। अगर यह बताने की और इसको साबित करने की कोशिश की जाती कि जो रुपया किसी प्रिस का रोका गया था वह इसलिये रोका गया था कि उसके अन्दर कोई सियासत छिपी हुई थी या किसी प्रिस को किसी पार्टी के साथ लगाना या उसके खिलाफ करना था तो टीका-टिप्पणी को मैं समझ सकता था और वह टीका-टिप्पणी वक्त के मुताबिक होती। लेकिन ऐसा कोई सबूत नहीं दिया गया है। इस वास्ते यह टीका-टिप्पणी मेरी समझ में नहीं आई है।

अभी मेरे मानयोग साथी श्री दी० चं० शर्मा जी ने जो अब चले गये हैं पैंशनर्ज की हमदर्दी में एक बात कही। वह इस बात को भूल गये कि हमदर्दी करते करते कहीं उनके खिलाफ तो वह नहीं बोल रहे हैं। पैंशन का जो रुपया ज्यादा दिया गया है, उसके अन्दर यह लिखा है कि यह सरकार के खयाल के मुताबिक एंटीसिपेटिड नहीं था, उसके अंदाज में यह नहीं था और उसको नहीं पता था कि यह देना पड़ेगा। पैंशनर्ज के साथ हमदर्दी के बावजूद सरकार को इस बात का पता नहीं था, हिसाब-किताब के मुताबिक इसका अंदाजा नहीं था कि उन लोगों को उसे इतना रुपया पैंशन के तौर पर और देना पड़ेगा। उनके साथ हमदर्दी के तौर पर यह सब कुछ किया गया है। हमारे भाई इस बात को नहीं समझते हैं कि सरकार ने उनकी तकीफ को समझा है और

[चौ० रणवीर सिंह]

उसको समझ करके जितना रुपया ज्यादा देना पड़ा है, देने की कोशिश की है . . .

**श्री त० ब० विट्ठल राव** : क्या इसके लिए सप्लीमेंटरी डिमांड नहीं लाई जा सकती थी ?

**चौ० रणवीर सिंह** : वह भी लाई जा सकती थी । लेकिन अगर मेरे लायक दोस्त का यह मुद्दा हो कि किसी के साथ ज्यादती की गई है या किसी के साथ कोई रियायत की गई है, तो मैं उनकी बात को समझ सकता था । वर्ना सप्लीमेंटरी डिमांड के तौर पर या बजट के अन्दर या फिर ए सेस ग्रांट के तौर पर इसको कर दिया गया है, तो इसमें एतराज की कौन सी बात है । यह तो एक तरीका है हिसाब किताब रखने का । हम लोग इतने ज्यादा पेंचों के अन्दर फंस जायें कि एक हजार करोड़ रुपया जो हम खर्च करते हैं, उसकी तरफ तो ध्यान न दें और इस ४४ लाख रुपये की जो एक्सेस ग्रांट्स हैं, उनके बारे में टीका टिप्पणी करते जायें या उसके बारे में अपनी बुद्धिमत्ता दिखाते जायें, तो यह कोई ज्यादा समझ की बात नहीं हो सकती है । मैं तो यह चाहता हूं कि एक भी पैसा मंजूरशुदा पैसे से ज्यादा खर्च न किया जाये । अगर ऐसा हो सके तो यह स्वागत योग्य बात होगी । लेकिन देश बन रहा है, तरक्की कर रहा है और आप जानते हैं कि इस सदन ने मंजूर किया है भाखड़ा नंगल के मामले में, कि सरकार १४० करोड़ के बजाय १७० करोड़ रुपया खर्च कर सकती है और यह एक अच्छी बात है । जितने भी ये छोटे बड़े प्राजैक्ट्स हैं, इनके मुताल्लिक कौन कह सकता है कि जो अंदाजा है उससे ज्यादा खर्च नहीं होगा या कौन नाप तौल से पैसा खर्च कर सकता है । हमारी एक कमेटी ने सिफारिश भी की है कि जहां तक डिवेलेपमेंट प्रोजैक्ट्स के बजट्स का ताल्लुक है, वह एक कंटीनुअस होना चाहिये, उसके अन्दर यह पाबन्दी नहीं होनी चाहिये कि ३१ मार्च तक इतना ही रुपया खर्च हो । जहां पर आसानी से और ठीक तरीके से रुपया खर्च हो सकता है, ज्यादा रुपया खर्च हो सकता है, और वह किया जाता है वह बड़ी खुशी की बात है । अगर डिवेलपमेंट के कामों पर रुपया ज्यादा खर्च होता है या जल्दी खर्च होता है, तो हमें अफसोस नहीं होना चाहिये क्योंकि मैं समझता हूं कि जितनी जल्दी कोई प्राजैक्ट पूरा होगा, उतनी जल्दी ही देश को फायदा पहुंचना शुरू हो जायेगा और इसके लिए हमें अफसोस नहीं करना चाहिये ।

**The Deputy Minister of Civil Aviation (Shri Mohiuddin)**: Sir, Shri Vittal Rao and Shri Sharma have criticised the excess grant worth about Rs. 7,52,00,000. I may just say a few words about this criticism.

A Minister sometimes or usually sails, according to the old saying, between Scylla and Charybdis. I think he is usefully criticised for delays in the construction of different aerodromes or projects. There are a number of questions in this House and in the other House as to why there is such a dealy in the construction of such-and-such aerodromes or such-and-such place. When the Ministry accelerates the construction and unfortunately it happens that the amount that has to be paid at the end of the year is in excess of the voted grant, there is criticism that the Minister is not watchful and that he does not see as to how much expenditure is incurred from day to day so that it does not exceed at the end of March the amount that was voted for that particular item.

The provision made during 1958-59 for construction works in connection with aviation was Rs. 3,23,67,000. This was the voted grant. The expenditure incurred, as we found out later on, was Rs. 3,31,19,019 which shows an excess of Rs 7,52,000 and odd. Shri Sharma criticised us by saying that the notes for the excess grant do not show as to what the facts were,

Usually, these notes that are circulated to hon. Members are not burdened with details. That is why, I suppose, all these details were omitted from the notes that were circulated to hon. Members.

**14 hrs.**

I am mentioning a few items in which there was an excess over the budgeted amount as these details have not been given. For example, for the runway at Dum Dum only a sum of Rs. 15,000 had been provided, but the actual expenditure that was incurred there was Rs. 4,11,380. This expenditure had to be incurred because we had to accelerate construction of the runway on account of the coming Boeing services. Similarly, there was an excess with regard to the Lucknow runway; a second runway had to be constructed there. The other items relate to Kumbigram, Agartala, Ahmedabad, and the glider dome at Poona. All these were items which were undertaken and which had to be completed and which had to be accelerated for one reason or the other. The ultimate effect of it was that there was an excess expenditure over the voted amount of Rs. 7,52,000. I hope these explanations are satisfactory and that the grants will be voted.

**Shri T. B. Vittal Rao:** Will they satisfy the public?

**Shri B. R. Bhagat:** The hon. Member who initiated the debate took a misconceived view of the functioning of the Finance Ministry on one or two very minor items and came to the conclusion that the Ministry is not functioning properly. I think as a very serious student of public affairs that he is, he himself would see the fallacy of his logic and the fact that the general conclusion that he has drawn is not substantiated by any facts, leave aside one or two minor facts.

He referred to one earlier item unconnected with this, namely about the notification in regard to the Industrial Finance Corporation. I had promised to the House to get the facts and lay the same on the Table of the House. I have collected the facts and sent a statement to the Lok Sabha Secretariat for being laid on the Table of the House, as also a copy to be sent to the hon. Member.

So far as the question of delay in this case is concerned, the hon. Member said that the Public Accounts Committee considered this matter in its Thirty-second report and submitted its recommendation in December 1960 and asked why it is that the Finance Ministry is coming after so many months before the House. He did so without knowing the facts and knowing what are the procedures in this which the Finance Ministry has to go through.

I have made enquiries in this respect. The position is that in the very first week of January we wrote to the Department of Parliamentary Affairs, which is in charge of conducting the consultation with the Business Advisory Committee, that this matter should be taken up in the next session of Parliament for regularisation. In preparing this we have to prepare the notes, foot-notes and all these things, and we are trying to make it increasingly fuller and fuller; we have to send them to various Ministries for comments and factual verification. With these things we try to come to the House as early as possible. The Department of Parliamentary Affairs, and certainly it must be with the knowledge of the Business Advisory Committee, had fixed that it should be taken up at the end of the session. It was fixed for the 25th April. But because the House was occupied with so many things, it could not be taken up on the 25th April, and it has been taken up now. So it is a matter of arrangement of the business of the House and there is no question of any lapse on the part of the Finance Ministry. It could as well have been taken up earlier if the House had had time or

[Shri B. R. Bhagat]

if the Business Advisory Committee had so decided. To say on the basis of facts which are absolutely wrong that the Finance Ministry unnecessarily caused delay and is not functioning properly, is not correct. The facts being what they are, I think the hon. Member will grant that his conclusions are not correct.

**Shri T. B. Vittal Rao:** This issue was never brought before the Business Advisory Committee at any time.

**Shri B. R. Bhagat:** I do not know. But it is a question of the procedure concerning Parliament. We were ready and we notified. It is not as if we were not ready and that we wanted to delay it. Because, once the matter goes to the Public Accounts Committee, it scrutinises it. The hon. Member said that it reprimanded or passed strictures with respect to certain things. I shall explain that matter presently. The matter was examined by the Public Accounts Committee. So the Finance Ministry or any other Ministry has no purpose in keeping it out from the House. It was only mere regularisation of the procedure that had to be done. And it can be done only according to the time or the convenience of the House as fixed by the Business Advisory Committee. My only point is that there is no motive or effort on the part of the Finance Ministry to delay it. In the circumstances it is uncharitable to charge the Ministry that it is inefficient, incompetent, etc. because of this delay. As a matter of fact, it has no purpose or motive in delaying it. That is my point.

The hon. Member said that these excesses occurred and it shows a very sad state of affairs. If I may, again, inform the hon. Member of the facts —he explained them, but I would like to explain them further—out of a total number of 141 grants and appropriations pertaining to 1958-59, excesses occurred in 15 cases only, the total amount of excess being Rs. 44:12 lakhs only as against the final grants and appropriations amounting to Rs. 7286 crores for that year. What is the percentage? The percentage is infinitesimally low: it is 0:006 per cent only. If you see the corresponding percentage in 1957-58, that is one year earlier, that was also low. But the 1958-59 figure is several times lower. While the 1957-58 percentage was 0·07 per cent, the 1958-59 figure was 0·006 per cent, that is, at least one-tenths lower. Because of the fact that some excesses, very minor ones, were infinitesimally low in certain aspects, to say that it represents a very sad state of affairs is not correct. I do not see how that conclusion can be drawn.

But I would say that excesses occurred. That is the point. And it has been said again and again that in the present system of our exchequer control, where there is no complete separation of audit and accounts, where the indenting and supplying authorities are different, payments are being made; all payments are not made by cheque in which case when the total ceiling is reached automatically the payment could be stopped. There is still prevalence of inter-departmental adjustments after the year is over. So long as this system prevails and unless we are able to completely separate audit and accounts, unless we eliminate all inter-departmental adjustments and took adjustments later and all payments are made by cheque and the indenting and supply authority are not different we cannot prevent excesses. Then alone we can say there will be no excesses. And excess occurs because the paying authority does not know at a particular time that it has made excess payment—because everybody is terribly afraid and nobody wants to make excess payments—but they do not know it, and these things are revealed only afterwards. As I said, it is inherent in the system. Although we are trying to streamline it, all of

us, that is the Comptroller and Auditor-General, the Finance Ministry and all other Ministries and Departments concerned, are trying to eliminate these things, we have been able to eliminate them to the extent of making the excess so low, namely 0·006 per cent. The point is how low it can be. But, it cannot be totally eliminated. That is what I would appeal to the House to understand; in the system itself, it cannot be totally eliminated, because if you make the payment and the other person controls the purse, then you can make excess payment, because the other man will not know that he is making more payment than what he is allowed to do. This is what is called inter-departmental adjustment or book adjustment. Unless there is complete separation of audit from accounts, it is not possible to eliminate it. This separation was tried in certain departments, but somehow or the other, the Comptroller and Auditor-General and others are of the view that in the present stage, it cannot be done completely. So, with the system that prevails, we, on our part, are trying to eliminate it or minimise it or limit it to the lowest possible percentage and we have done it. Instead of credit being given to the Finance Ministry, the charge is being laid at our doors that we are inefficient, incompetent and so on. I think this charge cannot be laid at our doors.

Then, my hon. friend referred to the cases of pension. It is true that all pension cases are human cases, and hard cases. I myself have come across certain cases in which the pensions could not be paid for several years. Whatever may be the reasons for that, the human aspect is so important that whatever difficulties are there have to be eliminated, because it is very hard that a person who has put in thirty years of service or more should be in the wilderness and he should not get his pension for several years. So, we went into the question and we had long consultations with the Comptroller and Auditor-General, and we have tried to streamline the rules. We want to streamline them further; we have expedited it and we are trying to do as much as possible. Actually, the position is much better now, not that there is no cases at all. Whatever it may be, we are trying to expedite it. But there are certain difficulties, because there is the question of identification, the question of the claims to be made by the pensioners, and their settlement and so on; all these questions require reference to back records, and, therefore, it takes some time.

The hon. Member said that there should be no finger-prints taken. We are not very keen on that, namely that the finger-print should be there, but there must be some identification, and the finger-print being the only source, we have it; if some other way could be found out for complete identification, we could have it, but the point is that correct identification should be there. We have the finger-prints only because they constitute an easy method of having some identification.

Then, my hon. friend referred to certain comments of the Public Accounts Committee. We have given due respect and consideration to the recommendations of the august bodies like the Public Accounts Committee and the Estimates Committee.

Particularly, we considered very carefully the charge of loose budgeting that the committee had referred to in respect of certain items. Under the existing procedure, the expenditure is not incurred directly by the identing department concerned but is initially incurred by the supplying ministry and reimbursements are made either by the former to the latter in cash or by book adjustments. And in this system, sometimes, there is an excess. Similarly, in para 6 of their report, the committee mentioned about

[Shri B. R. Bhagat]

the excesses due to loose budgeting and non-preparation of revised estimates on firm data. To secure effective control over expenditure and better standard of budgeting, the committee has stressed the need for regular monthly review of expenditure, timely reconciliation of the departmental expenditure figures with the accounts figures and up-to-date maintenance of liability registers and other ancillary records. Necessary instructions in this regard have been issued to the Ministries, and I hope that the matters will be set right in future.

Then, the committee has also said something about the question of budgeting and financial control. This was thoroughly examined in connection with the proposals made by the Comptroller and Auditor-General, in the Appendix to the Civil Audit Report, 1955. The Department of Expenditure have issued instructions in regard to the revised arrangement for budgeting. It is hoped that the position would show a further improvement in future. The impact of these instructions can only be known in the accounts of the years subsequent to the period referred to in the report. So, every effort is being made to ensure that such excesses are reduced to the minimum. It may at the same time be mentioned that so long as a complete system of exchequer control is not introduced, and a ban is not imposed on book adjustments in respect of inter-departmental transfers etc. after the close of the year, excesses over the grants approved by Parliament cannot altogether be avoided. I want to draw the pointed attention of the hon. Member to this. In the case of Departments where separation of audit and accounting functions has been brought about, such excesses would not occur, as the Pay and Accounts Officers are not authorised to make payments unless these are covered by budget provisions or advances from the Contingency Fund.

In para 2 of the report, the Public Accounts Committee have once again deprecated the tendency of delay on the part of the Ministries in the submission of their notes on excesses to them. In order that the report on the examination of excesses may be submitted to Parliament at the earliest, the Committee have desired that the notes should be sent to them within the prescribed time-limit. Instructions have been issued to all Ministries to keep a careful watch on the progress of action taken for the preparation of the notes to be submitted to the Public Accounts Committee and to ensure that explanations are submitted within the prescribe period of eight weeks. These instructions are again being brought to the notice of the Ministries for compliance. In future, I have no doubt that it would be strictly followed.

With these words, I would commend these Demands for the acceptance of the House.

**Shri T. B. Vittal Rao:** May I just ask for one clarification? In regard to the finger-print, the hon. Minister said

**Shri B. R. Bhagat:** There is one more point that I have to deal with.

About the Ruler,—although I still feel that the question of privy purses and the political aspects of it need not be raised on this occasion, because the House had other occasions to discuss them—I would like to mention that Shri Chintamoni Panigrahi raised the question whether Government had any right, or whether it was on the whims of Government, to withhold payments to the Ruler first and later on give them to him. And he asked 'What is this? This indicates that there is some sort of whimsical action on the part of Government.'. The fact is that this relates to a minor Ruler in Manipur for which territory an Administrator was appointed by Government. I think the privy purse allowed to the Ruler was about

Rs. 2:54 lakhs or something like that. Having an estimate of the expenditure of the Ruler, the Administrator drew at first only Rs. 1·80 lakhs or thereabouts. So, it is not as if the amount was withheld in the sense that the amount was not allowed to the Ruler. The Administrator thought that this was the expenditure, but, later on, he found that some more money was needed for the Ruler. So, he drew more. But, by that time, there was no provision in the Budget, nor could supplimentary grants be taken, because it was quite late. So, excess expenditure was incurred. So, it was not because of any whims, but because the Administrator drew a lower amount having regard to the estimate, that this discrepancy occurred.

**Shri T. B. Vittal Rao:** May I just ask for one clarification? When a widow of an employee claims pension, she has to put the finger-prints of all her five fingers. Instead of asking for finger-prints, why can the photo not be asked for? The photo of the claimant can be asked for as an enclosure. That would provide a proper identification.

**Shri B. R. Bhagat:** That suggestion will be considered. We shall see how far it is practicable and all that.

**Mr. Chairman:** The question is:

"That the respective excess sums not exceeding the amounts shown in the third column of the Order Paper be granted to the President to make good the amounts spent during the year ended the 31st day of March, 1959, in respect of the following Demands entered in the second column thereof, namely Demands Nos. 1, 31, 37, 48, 51, 52, 60, 69 99, 121 and 132.".

*The motion was adopted.*

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**14:20 hrs.**

## APPROPRIATION (No. 3) BILL*

**The Deputy Minister of Finance (Shri B. R. Bhagat):** On behalf of Shri Morarji Desai, I beg to move for leave to introduce a Bill to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services during the financial year ended on the 31st day of March 1959, in excess of the amounts granted for those services and for that year.

**Mr. Chairman:** The question is:

"That leave be granted to introduce a Bill to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services during the financial year ended on the 31st day of March 1959, in excess of the amount granted for those services and for that year."

*The motion was adopted.*

**Shri B. R. Bhagat:** I introduce† the Bill.

**Shri B. R. Bhagat:** On behalf of Shri Morarji Desai, I beg to move:

"That the Bill to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amount spent on certain services during the financial year ended on the 31st day of March 1959, in excess of the amounts granted for those services and for that year, be taken into consideration".

**Mr. Chairman:** The question is:

That the Bill to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services

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†Introduced with the recommenda tion of the President.

[Mr. Chairman.]

during the financial year ended on the 31st day of March 1959, in excess of the amounts granted for those services and for that year, be taken into consideration".

*The motion was adopted.*

**Mr. Chairman:** The question is:

"That clauses 1 to 3, the Schedule, the Enacting Formula and the Title stand part of the Bill".

*The motion was adopted.*

*Clauses 1 to 3, the Schedule, the Enacting Formula and the Title were added to the Bill.*

**Shri B. R. Bhagat:** I move:

"That the Bill be passed".

**Mr. Chairman:** The question is:

"That the Bill be passed".

*The motion was adopted.*

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**14.23 hrs.**

## DEMANDS FOR EXCESS GRANTS (RAILWAYS)*, 1958-59

**Mr. Chairman:** The House will now proceed with discussion and voting on the Demands for Excess Grants in respect of the Budget (Railways) for 1958-59.

### DEMAND NO. 8—REVENUE-WORKING EXPANSES OPERATION OTHER THAN STAFF AND FUEL

**Mr. Chairman:** Motion moved:

"That a sum of Rs. 21,95,125 be granted to the President to make good an excess on the grant in respect of 'Revenue-Working Expenses Operation other than Staff and Fuel' for the year ended the 31st day of March, 1959."

### DEMAND NO. 12—REVENUE-DIVIDEND PAYABLE TO GENERAL REVENUES

**Mr. Chairman:** Motion moved:

"That a sum of Rs. 36,06,932 be granted to the President to make good an excess on the grant in respect of 'Revenue-Dividend payable to General Revenues' for the year ended the 31st day of March, 1959".

### DEMAND NO. 19—MISCELLANEOUS CHARGES-DEVELOPMENT FUND

**Mr. Chairman:** Motion moved:

"That a sum of Rs. 412 be granted to the President to make good an excess on the grant in respect of 'Miscellaneous Charges —Development Fund' for the year ended the 31st day of March, 1959".

**The Deputy Minister of Railways (Shri S. V. Ramaswamy):** These are being presented as a result of the review made by the Comptroller and Auditor-General and the Public Accounts Committee of the Railways' Appropriation Accounts for 1958-59 and the consequential recommendations of the Commmittee in the following terms in para 4 of their 33rd Report, Vol. I:

"The excesses referred to in para 4 of the Report be regularised by Parliament in the manner prescribed in article 115 of the Constitution".

**14.24 hrs.**

[MR. DEPUTY-SPEAKER *in the Chair.*]

There are 6 items. Of these, 4 are small items. One is for Rs. 347, another for Rs. 412 and the third for Rs. 26,619. Apart from the 4 small items, two major items are Rs. 21,95,125 under Demand No. 8—Revenue—Working expenses—operation other than staff and fuel—and Rs. 36,06,932 under Demand No. 12—Revenue—Dividend payable to General Re-

*Moved with the recommendation of the President.

venues. Explanatory notes have already been circulated to hon. Members. I need only mention these two items, namely, one under Demand No. 8 involving Rs. 21 lakhs and the other under Demand No. 12. Taking the first, the excess as shown in the appropriation accounts was Rs. 21·23 lakhs, but the excess recommended for regularisation by the Public Accounts Committee is Rs. 21·95 lakhs or a little more than 1 per cent of the grant. The difference of Rs. 0·72 lakh represents certain expenditure pertaining to this Demand incorrectly booked under other demands. Therefore, for purposes of regularisation, this amount has now been included under this demand. There are other items also of slight variations and these are more in the nature of adjustments.

As regards Demand No 12, the excess was mainly due to the revision of the *ad-hoc* capital at charge as on 15th August 1947 and ex-State Railways' capital at charge as on 1st April 1950 resulting in more dividend becoming payable (Rs. 21·92 lakhs) and also partly to the actual capital outlay for the year being more than what was anticipated in the revised estimates. Such small variations in actual figures of capital outlay from earlier estimates are largely unavoidable.

Hon. Members are also in possession of the 33rd Report of the Public Accounts Committee where these items are mentioned in Vol. II—Appendices. We have brought these Demands and the Bill according to the recommendations of the Public Accounts Committee for regularisation. I hope the House will approve of them.

**Shri T. B. Vittal Rao** (Khammam): I expected the Deputy Minister in his introductory remarks to throw some light on these Demands for excess grants. But I am thoroughly disappointed with his remarks.

**Shri S. V. Ramaswamy:** Everything is contained in the Public Accounts Committee's Report. I need not repeat them.

**Shri T. B. Vittal Rao:** Everything is contained in the Public Accounts Committee Report. I hope the remarks and observations made by the Estimates Committee and the Public Accounts Committee are taken seriously by the railways.

As regards Demand No. 6—Ordinary working expenses—operating staff—the excess of Rs. 2,618 under 'charged' occurred due to certain payments decreed by courts having been provided for under 'voted'. This misclassification was discovered later. I will come later to the comments I have to make on this. It is further stated:

> "The imperative need for observance of the statutory provisions regarding correct treatment of 'voted' and 'charged' expenditure has been impressed on all concerned, with a view to avoiding recurrence of such cases".

Putting down a mere statement does not solve the problem. All these things have to be vigorously pursued. I will elaborate a little later on that.

Similarly under Demand No. 9, the amount involved is Rs. 1·44 lakhs relating to 'charged' having been booked under 'voted'. Again it is stated under Demand No. 8 that certain expenditure pertaining to it was incorrectly booked.

These mistakes about the classification of various expenditure under 'voted' and 'charged' have arisen out of the incorrect observance of a constitutional provision. The constitutional provision has to be very strictly adhered to. The mistakes creep in; that is to say, the persons dealing with the accounts on the railways do not realise the difference between 'charged' and 'voted' items of expenditure. It is rather unfortunate that a charged item is made into a voted item, not once but twice and

[Shri T. B. Vittal Rao]

thrice. Does it reflect any credit on the Accounts Department of the Railways? Is it the manner in which you maintain the accounts? The Railways have got their Audit, Accounts, Test Audit and another audit and all these and yet these mistakes come. There are checks and counter-checks provided; and yet this happens. The efficiency should be increased because I find that it has deteriorated considerably. Therefore, the situation calls for quick overhauling of the entire Accounts Department of the Railways.

I will mention, in this connection, the recommendations made by the Estimates Committee in their 31st Report—March 1956. I raised this issue in my budget speech and the Deputy Minister who replied to the debate did not care even to mention that.

**Shri S. V. Ramaswamy:** Perhaps there was not such time left.

**Shri T. B. Vittal Rao:** For other Members, perhaps, there is a time limit. For the Minister at least there is no time limit. This is a very important thing. I have seen, during the Budget debate, Ministers taking an hour and forty minutes in replying to the debate. This is an important issue that was raised.

**Mr. Deputy-Speaker:** Even after that some limit comes.

**Shri T. B. Vittal Rao:** What I mean to say is that what we raise in this House should be taken a little more seriously. I do not want to go into my own comments. I would like to draw attention to the Report of the Estimates Committee, made as long ago as 1956, in their 31st Report when they dealt with the question of Accounts of the Ministry of Railways. I only invite the attention of the hon. Minister to para 97. Paragraphs 96 to 98 make very interesting reading. Very caustic remarks have been made about the way in which the accounts are maintained in the Railways. I would just read one or two paragraphs. It is essential in order to reiterate and emphasise what the Estimates Committee have said. They say:

> "The Committee are, therefore, of the view that the functions at present attached to the office of the Financial Adviser and Chief Accounts Officer should be bifurcated. There should be two separate Heads of Departments, the Chief Accounts Officer being concerned only with the compilation of the accounts according to the prescribed rules and for effecting the necessary check on the receipts and expenditure. Relieved of his financial functions, the Chief Accounts Officer would then be in a position to devote his entire attention to pulling up the arrears in compilation, including the Provident Fund, effect early settlement of all outstanding claims, including purchase Bills etc. and see that the accounts are available in time for the administration to make an effective use of them for the control of Expenditure" and this is very important—"in all of which matters the position has been repeatedly pointed out in Audit to be unsatisfactory."

This is not my own comment. This is what the Estimates Committee say. Further on, they say:

> "The Chief Accounts Officer can also then take up the question of training of the staff required for the increasing activities consequent on the implementation of the two Plans."

Further, in paragraph 98, they say:

> "As for the Financial Adviser, relieved of the increasing day to day problems of compilation of accounts and prompt payment of dues, he will be in a position to

see that effective financial advice is available to the administration and that the Budget is compiled promptly, and without overlooking the important factors affecting it. He will be able to devote his attention to a close control and review of expenditure and to the application of improved techniques such as correlation of expenditure with performance etc."

This is very essential, exercise of effective control over expenditure so that we can correlate expenditure with performance. In the Railways they have been able to get off because one cannot correlate performance with expenditure as we can do in various other industries. If it is power generation, we can easily say that with so much of investment we can generate so many kws. If it is the coal industry, we can say so much of investment is required for an additional ton of coal. But, in the Railways no such thing is possible. Therefore, the Estimates Committee have recommended that there should be close control exercised over expenditure so that there will be correlation of expenditure with performance.

"He will also be able to effect without delay all the changes in forms and procedure in accounting and finance that have now become necessary. Moreover, the transport economic research cells which are proposed to be created under his control would need his close supervision if they are to develop on useful lines. These very important functions cannot be well left to an officer of the Junior Administrative rank as at present."

Therefore, the Estimates Committee have come to the conclusion that the functions of the Financial Adviser and Chief Accounts Officer should be bifurcated and there should be separate Financial Advisers and Chief Accounts Officers. The Ministry have not considered very seriously this recommendation of the Estimates Committee. When the Estimates Committee make their recommendations they are very careful. They take into account the various observations made and after examining so many witnesses they come to a conclusion. I do not know when the decision will be taken to bifurcate these two offices.

Then, I come to the other Demand, Demand No. 8—Ordinary Working Expenses—Operation other than Staff and Fuel. Rs. 16 lakhs out of the excess of Rs. 21·95 lakhs is due to finalisation of more claims towards the close of the year.

I would like to examine the performance of the Railwas in this respect; that is with regard to the settlement of claims, for goods damaged or lost in transit. Rs. 16 lakhs are provided for it. What was the position in 1957-58 and in 1958-59? I am giving the figures to the nearest thousand. In 1957-58 the claims settled were Rs. 489 thousand. In 1958-59, it was Rs. 463 thousand. What was the finalisation? During the close of the year they have become so active with the result that the claims settled during the year 1958-59 were less by 26,000, compared to the figures of 1957-58. This is the kind of improvement we are making from year to year. An excess Demand of Rs. 16 lakhs is asked for the finalisation of certain claims at the end of the year and this is the position with regard to that. That is, we have settled less claims; and yet this Excess Grant is asked for.

Then, coming to the claims outstanding in 1957-58, they were 42,592 while in 1958-59 they were 44,084. We are progressing in the reverse direction. Instead of the goods offered for transport being properly looked after and taken to the destination, in this year, we have an increase of claims. The net amount paid by the Railways on account of goods or parcels lost or damaged during 1957-58 was Rs. 3.27 crores; and in 1958-59, it was Rs. 3.13

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crores And, now, we will have Rs. 3.13 crores plus this Rs. 16 lakhs; it will be 3,29 crores.

Now, the Railway Minister has introduced a Bill where there will be carrier's liability.

I do not know what will be our performance in that respect and how much money of the tax-payers will be incurred for the loss of goods in transit, which is as a result of not exercising proper check and not exercising that much of vigilance in transport of goods and parcels as it necessary.

Then, the average time taken in the settlement of claims was 49 days in the year 1957-58, and in the year 1958-59 it was 52 days. So, the efficiency of the railways has increased because they take three more days on an average for settling the claims! Therefore, there is something wrong with the working of the Railway Ministry. With regard to the following year—1959-60—the average time taken was again 52 days. The amount paid on account of goods and parcels lost or damaged during 1959-60 is Rs. 3.74 crores. If this is the way the railways progress, I do not know to what stage we will reach. Therefore, I would like to impress upon the Railway Minister that a proper check and vigilance should be exercised. They must realise what large amounts we are voting in this House for railway protection force, vigilance cells, anti-corruption department and so on. On the one hand, we are sanctioning extra amounts for incurring extra expenditure on account of these new departments; on the other hand, the payment of claims is also on the increase.

In the debate on the demands for excess grants in regard to the Central Budget, other than railways, which was just over, we had very interesting revelations. In the general budget a demand for excess grant of Rs. 11,490 was made. Do you know why? Do you know who is responsible for this? The responsibility for that is on the railways, for raising a debit slip. They have clearly stated it; "due to the belated raising of debit by the railways." And what was the purpose of the debit? It is on account of the maintenance, interests and depreciation charges of the President's air-conditioned saloon. These are items of regular expenditure; maintenance of saloon, interest on the cost of the saloon and depreciation charges. These are not unforeseen items. Why were not these debits raised in time? I fail to understand.

Then there is another item. The railway freight on the transport of opium was raised, and that is why they are asking for an excess grant. I cannot understand why there should be this delay in raising this debit also. Is it also an unforeseen expenditure? Did some calamity happen and is the delay because of that? Unless some overhauling is done with regard to the accounts department, I am afraid things will go from bad to worse.

I have also to say one or two cases in which there was a demand for the settlement of claims for compensation for the passengers injured while travelling or for the dependents of the passengers killed. There was a case of workmen's compensation. There was a case in which a railway worker died as a result of an accident in Vijayawada. The compensation amount, which is a statutory claim under the statutory provision, which has to be paid under the Workmen's Compensation Act, was not paid in time. They go on taking time. Then, out of disgust, I referred the matter to the Minister of Labour and Employment, as long ago as December last. Till now, the Labour Minister has been sending me replies to the effect that they have asked the Railway administration and the Railway Board to furnish particulars. It is

now four or five months. Still, the railways are not furnishing the particulars. Therefore, I woud strongy urge that some drastic steps should be taken with regard to the working of the railways and the maintenance of accounts. It is a matter of voted items. They say that they have impressed upon all the authorities concerned that these are very important matters. This is a statutory provision, and all these items of work should be impressed upon the various officers who are in charge of the work of maintenance of accounts in the railways.

**Shri S. V. Ramaswamy:** Shri Vittal Rao has raised a number of points. As he himself has read from the explanatory note, these are all small items. Some of these items are for Rs. 300 or Rs. 400. There have been some mistakes in this regard. It is not wholly foolproof. That is why the Auditor-General is there, when somebody makes a mistake, to discover the mistakes. Of course, there should not be a mistake. That is the ideal position. The ideal condition is that there should be no mistakes. Not that we are providing mistake for the Auditor-General to discover.

**Shri Prabhat Kar** (Hooghly): If there is no mistake, then there is no need for the Auditor-General!

**Shri S. V. Ramaswamy:** I do not argue that way—namely, that we provide or commit mistakes so that the Auditor-General may discover them. But it does happen, human nature being what it is. With all the imperfections of the human institution, sometimes these mistakes do happen. Luckily, these are with regard to small items and so I do not think it is necessary for me to argue at length. But we have taken note of this and we have issued instructions that this broad division of charged and voted items must be kept in mind and that there should be no mistake committed hereafter.

Shri Vittal Rao again mentioned about the separation of the finance and the accounts. We have accepted that in principle, but then to have two separate establishments means enormous cost. That is why we have devised a method by which there are two wings; one is under the Deputy Financial Adviser (Finance) and the other is under the Deputy Chief Accounts Officer (Accounts). They function almost so to say independently; though they are not given two separate departments their functions are separate and independent, and the purpose of the recommendation has been achieved without incurring extra expenditure.

We have intimated to the Estimates Committee also the procedure that we are adopting so that there should be no deficiencies in the present working and we shall see that deficiencies, if any, are made up.

Shri Vittal Rao commented upon the delays in the payment of compensation. My hon. friend has forgotten that the quantum of traffic has increased several fold. It is a matter of compensation being paid in rupees, annas and pies. He also forgets that in each case the prices had gone up. Taking these two factors into consideration, increase in the quantity of goods moved and increases in the value of the goods transported, the percentage and the compensation paid actually are less. Nevertheless, there is no complacency on our part. We are somewhat worried about the fact that from Rs. 3.55 crores in 1958-59 it has shot up to Rs. 3.99 crores—nearly Rs. 4 crores—in 1959-60. We are exercised over it.

My hon. friend again reminded us; you are going to assume the carrier liability. Yes. That is the reason why we should be very careful. Otherwise we will have to lose heavily. We are very particular about carrying the goods carefully. Necessary instructions have been issued. After all we are dealing with materials which have got to be built up to a proper

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level in which the sense of civic responsibility is realised and every employee, and every citizen, as a matter of fact, realises that the property entrusted to the railways is a thing which has got to be respected as such and not to be treated as if it is no man's property. Everybody must realise that we hold it in trust and there should be due care and attention has got to be paid for the proper transport of these things to be delivered to the consignee just as the consignor delivered it to us. There is a moral obligation. Everybody must do his duty by the country, by the railways and by the nation and it must manifest itself in a fuller measures. I do hope that as days go by, every employee, whether he is class or three or any other class will realise that he is a public servant and as such he owes a duty to the railways to see that there is no avoidable loss incurred by the railways. All these instructions have gone and we are trying our utmost to keep down the payment or compensation and we are instituting a vigorous drive. We do hope that it will bear fruit. We thank Shri Vittal Rao for the remarks he has passed. With these remarks, I request that these may be passed.

**Shri T. B. Vittal Rao:** Then hon. Minister did not clarify one point. Why was there delay in raising debits with regard to the maintenance, depreciation, etc. of the President's Saloon? This is an item on the regular list. Why was there delay?

**Shri S. V. Ramaswamy** I have not got the facts just now before me. I am subject to correction; there might have been some delay in putting up a Bill for the repairs or there might have been repairs in excess of the original anticipations and possibly there was delay. All these things have got to be taken in a broad spirit. Anyhow, we have come before the House for its sanction.

**Mr. Deputy-Speaker:** I shall put all of them together. The question is;

"That the respective excess sums not exceeding the amounts shown in the third column of the Order Paper be granted to the President to make good of the amounts spent during the year ended the 31st day of March, 1959, in respect of the following demands entered in the second column thereof.

Demands Nos. 8, 12 and 19"

*The motion was adopted.*

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**14·55 hrs.**

## APPROPRIATION (RAILWAYS) NO. 3 BILL*

**The Deputy Minister of Railways (Shri S. V. Ramaswamy):** Sir, on behalf of Shri Jagjivan Ram, I beg to move for leave to introduce a Bill to provide for the authorisation of appropriation of money out of the Consolidated Fund of India to meet the amounts spent on certain services for the purposes of Railways during the financial year ended on the 31st day of March 1951 in excess of the amounts granted for those services and for that year.

**Mr. Deputy-Speaker:** I shall put the motion to the vote of the House.

**Shri Prabhat Kar:** At least when we pass it, we should have the quorum. There is no quorum.

**Mr. Deputy-Speaker:** Let the Quorum Bell be rung.

**14·56 hrs.**

[MR. SPEAKER *in the Chair.*]

**Shri T. B. Vittal Rao:** We are passing Rs. 58 lakhs.

[**Mr. Deputy Speaker** *in the Chair.*]

**Mr. Deputy-Speaker:** Now, there is quorum. The question is:

"That leave be granted to introduce a Bill to provide for the

*Published in the Gazette of India Extraordinary part II, section 2, dated 2-5-61.

authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services for the purposes of Railways during the financial year ended on the 31st day of March, 1959, in excess of the amounts granted for those services and for that year."

*The motion was adopted.*

**Shri S. V. Ramaswamy:** Sir, I beg to introduce* the Bill. On behalf of Shri Jagjivan Ram, I beg to move.

"That the Bill to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services for the purposes of Railways during the financial year ended on the 31st day of March, 1959, in excess of the amounts granted for those services and for that year, be taken into consideration."

**Mr. Deputy Speaker:** The question is:

"That the Bill to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain serices for the purposes of Railways during the financial year ended on the 31st day of March, 1959, in excess of the amounts granted for those services and for that year, be taken into consideration.

*The motion was adopted.*

**15·00 hrs.**

**Mr. Deputy-Speaker:** The question is:

"That clauses 2 and 3, clause 1, the Schedule, the Enacting Formula and the Title stand part of the Bill".

*The motion was adopted.*

*Clauses 2 and 3, Clause 1, the Schedule the Enacting Formula and the Title were added to the Bill*

**Shri S. V. Ramaswamy:** I beg to move:

"That the Bill be passed".

**Mr. Deputy-Speaker:** The question is:

"That the Bill be passed".

*The motion was adopted.*

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**15.01 hrs.**

## COAL MINES (CONSERVATION AND SAFETY) AMENDMENT BILL

**The Minister of Steel, Mines and Fuel (Sardar Swaran Singh):** I beg to move†:

"That the Bill to amend the Coal Mines (Conservation and Safety) Act, 1952, be taken into consideration."

There are two important changes that are sought to be brought about by this legislative measure. One relates to the ceiling for levying excise duty. The present position is that there is a ceiling of Re. 1 with respect to the imposition of excise duty. That is contained in section 8 of the Coal Mines (Conservation and Safety) Act. Section 8(1) says:

"With effect from such date as the Central Government may, by notification in the Official Gazette, appoint, there shall be levied and collected—

(a) on all coal raised and despatched, and on all coke manufactured and despatched, from the collieries in India, such duty of excise not exceeding one rupee

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*Introduced with the recommendation of the President.

†Moved with the recommendation of the President.

[Sardar Swaran Singh]

per ton as may be fixed from time to time by the Central Government by notification in the Official Gazette, and different rates of duty may be levied on different grades or descriptions of coal or coke;"

The present position with regard to the actual quantum of excise duty is like this. There was a notification dated 15th March, 1960 which was more for conversion of ordinary tons into metric tones. The figures are given in that notification. The rate of excise duty per ton of 1000 kilograms, i.e. 1 metric tone, is 86:6 nP on coal, including soft coke but excluding hard coke. On hard coke, it is 92:5 nP. Both these duties on coal and coke of all varieties as well as hard coke are very near the ceiling of Re. 1 per ton, which is provided under the existing provisions, which I have read out, viz., section 8 of the parent Act.

The present proposal is to raise this ceiling to Rs. 4 per ton. That does not mean that actually the rate of excise duty will be of that level. But the ceiling which has stood so far at Re. 1 per ton is sought to be increased to Rs. 4 per ton. The House will naturally like to know the justification for this pushing up of the ceiling with respect to excise duty. There are two main reasons for an early decision about increase in excise duty. One is the necessity of raising larger and larger quantities of coal by what is known as depillaring. Hon. Members who are familiar with mining operations would know that when deep mines are developed, a fairly large quantity of coal is left on pillars. We have been operating a number of stowing subsidy schemes, as they are called, under which the colliery-owners have been undertaking the stowing operations, i.e. filling the gaps that are created there with sand. When the process of depillaring starts, where the coal is actually taken from the pillars that are standing there to protect the roof from falling stowing is necessary from the safety angle. It is necessary to incur that additional expenditure by means of stowing.

There are stowing subsidy schemes, about which references have been made from time to time. It has been anticipated that the sources of sand are being exhausted progressively and the stage has come when a central ropeway scheme has to be undertaken. That means, from various points in the bed of the river or from other sources, sand has to be collected and taken on belt ropeways to some central points, which are nearer to the collieries where the stowing operation has to be undertaken. Therefore, there are what are called central ropeway schemes. As the lead involved is large, so the cost of transporting sand is likely to be considerable and considerable capital expenditure is also involved. If we take a purely negative attitude and leave this thing to be done by the private sector, the risk is that they will not be able to do it. The distances being long, the actual cost will be much higher. Actually, the bill that the country may have to pay will be much higher as compared to a scheme which if operated effectively by a public organisation like the Coal Board will appreciably reduce the expenditure. Therefore, sand can be supplied at these central points.

This will inevitably result in revising the present rates of stowing subsidies which are paid to the colliery-owners. This will answer a query which my friend, Shri Vittal Rao had raised on an earlier occasion. In the course of a supplementary, he had asked whether the stowing subsidy will continue even after the ropeway scheme is introduced and I said that it would not be kept in its present form. The result is quite obvious. The expenditure that any individual colliery will incur will be on that short lead of lifting sand from the point up to which it is taken under the central ropeway scheme and to

actually pump it inside the colliery. That will be a much lesser incidence and the responsibility of supplying it at a nearer place will be undertaken by this ropeway scheme.

Various estimates have been undertaken. Atcually tenders have been floated and some quotations have been received. It is anticipated that the capital expenditure will be quite considerable. It is somewhat embarrassing to give the estimates particularly when tenders are being examined, but the expenditure is likely to be of the order of Rs. 16 crores in regard to capital expenditure alone. There will be recurring expenditure to keep it going. Sand over 60 miles in certain areas will have to be transported from various points at which sand is available to central points where it can feed the collieries. That is the essence of the central ropeway scheme. It is, therefore, in the overall national interest that such a scheme be undertaken and the financial implications squarely met by increasing the excise duty and building up a fund, which will meet the capital expenditure spread over several years and will also meet the recurring expenditure. That will decrease the stowing subsidy; but the overall responsibility is there, and the additional quantity that might be raised of this better quality coal is likely to be of the order of ten million tons or so. This will mean additional expenditure, and therefore the necessity for revising upward the rate of excise duty which will push it beyond one rupee.

There is one other aspect that I would like to place before the House. The question of transport of coal has been discussed from time to time, and it is not my intention to go into the details thereof. The present position is that we are moving about a million tons of coal by sea. The leads involved are pretty long and transport bottlenecks are there. Therefore, a decision has been taken that we should move larger quantities of coal by sea to meet the requirements of coastal States. This means moving additional coal to Madras coast or western coast—even Gujerat and Maharashtra—and the total quantity that is sought to be moved will be of the order of about two million tons—that means one million tons of addditional coal. There has been a justifiable criticism that movemen by sea being more costly the; consumers who are situated at these long distances, have to pay additional price for the coal that they consume. This matter has been very carefully considered. Although it is not possible to accept the suggestion that has been mode from time to time of having a uniform price of coal at al rail-heads, still there appears to be a great deal of force in this contention that coal moved by sea should not be more costly to the consumer as compared to coal moved by rail. Therefore, a part of the additional excise duty that is proposed to be raised will be utilised to subsidise the cost of transport by sea so that at certain points, at any rate for instance at the port of receipt, the cost by sea should not come out to be higher than the cost of transport by rail. To meet that, there will be an element in the excise duty which will finance this additional cost of transport by sea.

For these reasons, Sir, it will be necessary to step up the excise duty, and it is for that reason this amendment is sought for.

There is one matter which I would like to clarify. Although the matter is quite simple in this amending Bill, under clause 4, an amendment is sought of section 13 of the principal Act, that after the words "or the mine", the words "or a railway" shall be inserted. The reason for that is given in the Statement of Objects and Reasons. Under the existing law the authority in charge of safety of mines has not got any authority to issue any directive. He cannot issue any directive to the colliery to look to the safety of a railway line or railway property under which they might be mining. This

[Sardar Swaran Singh]

point was examined at considerable length and it was considered that it is necessary to have such a provision so that the management in charge of collieries should adopt such precautions as may be necessary for the protection of railway property and railway lines, and the definition of "railways" is the same as it is to be found in the Indian Railways Act, 1890. That accounts for the additional of clause (hh) in section 3 of the Act. Clause 5 is only more or less precedural, but that is in consonance with the general principles that have been laid down. That gives an opportunity to Parliament to express their view, and this is the legislative reform that we are progressively introducing in all Acts, if there is any opportunity of introducing any amendment, so that Parliament may be kept fully informed and they may have an opportunity of expressing their will, and subsequent action can be taken in accordance with the wishes expressed by the House.

These are the main points. In fact, there are two substantive amendments, and the third one is the general legislative reform that the Government as a whole are trying to introduce in all legislative enactments.

**Shri Braj Raj Singh** (Firozabad): From 86 nP., or 92 nP. how much are you in creasing presently?

**Sardar Swaran Singh:** I have not given the figure, but it may be anywhere of the order of Rs. 1.20 nP to Rs. 1·50 nP. more over and above what we have at present.

**Dr. Melkote** (Raichur): May I know the relative difference in freight charges as bebtween raliways and steamships i nthe carriage of coal?

**Sardar Swaran Singh:** It will depend obviously upon the leads involved. For instance, the difference will not be that much if it is carried by sea to Madras; it will be less. If it is carried to Bombay it will be more, and it may be even more if it is carried to Gujerat. But to give a representative figure, if it is carried by sea from Calcutta Port to Bombay or to Gujerat, the difference may be as much as Rs. 15 to Rs. 20 per ton.

**Mr. Deputy-Speaker:** Motion moved:

> "That the Bill to amend the Coal mines (Conservation and Safety) Act, 1952, be taken into consideration."

**Shri T. B. Vittal Rao** (Khammam): Mr. Deputy-Speaker, while trying to enhance th ceiling limit of excise duty the hon. Minister should have brought forward a comprehensive legislation. The Coal Mines (Conservation and Safety) Act which was passed in 1952 was framed at a time when the conditions were different. Today things are not what they were in those years. Therefore, the opportunity should have been taken to bring forward a comprehensive legislation. For instance, there are various rules made under the 1952 Act, which could have formed a part of the new Bill itself.

Sir, this is not a very innocuous Bill. The Bill is giving powers to the Government to raise the excise duty ceiling limit to Rs. 4 per ton. If only we take into consideration the quantity of coal that has been moved annually, at the present rate of ceiling proposed—that is at Rs. 4 per ton—it will come to about Rs. 20 crores. A taxation measure in which Rs. 15 crores additional revenue is there should be treated with a little more seriousness. The hon. Minister, probably pressed for time, did not emphasise the various aspects as to how this Act is administered and other things.

We give some sort of subsidy to the mines which undertake stowing operations in the private sector, and the rates have been revised from time to time. Some years ago it was 50 per cent of the total cost of stowing. Then, later on, it was raised to 75 per cent, then to 85 per

cent and now I think, cent per cent is given. I have no objection to giving subsidy for stowing, provided that is done properly. Because, whether you levy stowing duty, or excise duty and then give them a subsidy, the increase in the price of the coal is all the same. But the moot point that we have to consider is whether the stowing operations are being carried out properly.

Last year, in one of the coal mines permission was ought of the Chief Inspector of Mines for the construction of quarters on a coal-bearing area, because he has to accord permission. The management assured him that when the coal-bearing area is de-pillared they would undertake stowing, but the Chief Inspector refused to give permission. When he was asked for the reason he said that subsidence takes place. When asked "when we have undertaken stowing, there cannot be subsidence in the surface; how is it that you tell us that subsidence will take place even when there is stowing?" he said "technically you are correct, but taking a pragmatic approach, I find that really subsidence does take place". It is true that subsidence takes place. For what reason? That is the very important thing. Though we pay subsidy to the coal mine owners, they do not fully stow. Suppose they are coming from, say, 50 to 60 ft., they start stowing in between and the hollow portion remains hollow. While taking measurements and asking for subsidy, some of these unscrupulous mine-owners generally say "we have stowed the whole area". As far as the Coal Board is concerned, some of the inspecting staff are inexperienced and some are not up to the mark. They go, inspect the mine and give a good chit. Do you know why this happens? I have deliberately stated that the staff in the Coal Board which is a public sector organisation, are very inexperienced or are not well up to the mark. Because, the salaries in the private sector are so high that there is a flight from this place to that sector. So, we do not get very good people; we get only second-rate people in our sector. Therefore, these things happen. The hon. Minister could have told us about this thing in some detail.

If stowing operations are properly carried on, there would not be roof fall and there will be less number of accidents. One or two explosions took place in Amlabad in February 1955, there was a court of inquiry and the manager and director were held responsible. There also one of the defects noticed was that stowing was not properly done, as a result of that there was a vacant space where the gas accumulated and the explosion took place. If proper stowing was done, if a proper check was exercised, the explosion might not have taken place and these 60 people would not have been killed. It is all the more dangerous if an explosion takes place in a coal-mine because there will be nobody surviving to tell the story as to how the explosion took place. So, it is very difficult to investigate and find out the causes of the accident. Therefore, stowing operations are very necessary and should be undertaken, epecially when you are going further deep into the earth.

I am told that in Jharia and Bengal coal-fields there are 16 to 18 seams. So, it is dangerous and there will be roof falls and subsidence. Therefore, to avoid all this, stowing has to be undertaken. But I would urge upon the Minister that when we give this subsidy to the various mine owners, we should exercise proper check and very strict control over the mines. Suppose a fire breaks out in a certain area which contains metallurgical coal. For example, in the Porbalia colliery there was a fire which destroyed a large amount of coal. Then the whole seam could not be worked for three or four years. So because of that, so much of natinal wealth was locked up and could not be utilized. In last November there was a fire in a mine

[Shri T. B. Vittal Rao]

owned by Shri Karamchand Thapar, which also contained very good metallurgical coal. If they are properly inspected and a proper check is exercised with regard to stowing, we can avoid any of these fires, subsidence and explosion which result in a huge loss to our country.

Then, I have gone through some of the reports of the Coal Board. There was a fear expressed in certain quarters about coal. I took it lightly but, subsequently, they have proved to be prophets. Some of my friends warned me in December 1959 that we are going to face a transport bottleneck in coal. It turned out to be true. Some years ago, some of my friends told me that our coalmines will be worked by foreign experts, Americans experts on one side and Russian experts on the other. I did not take it seriously. But they have proved to be true. Therefore, now I will attach due weight to the fears expressed by my friends, because experience has taught me that they have been correct.

A doubt was expressed whether the Damodar river would be able to give all the sand necessary for the coal mines for stowing purposes. I do not find any emphatic answer to this problem. There are some reports that they are going to take sand from Maithon dam. Some people have advised that no more dams should be undertaken or constructed in the river Damodar so that sand will be available for the coal mines. All these things should be looked into. So, I would suggest that a very important committee consisting of the best miners in this country should be constituted, and the civil engineers who are practically connected with irrigation projects should be associated with it, so that a proper assessment could be made of the sand available. Otherwise, when we are going far deeper and deeper, our stowing operations will be badly affected.

Then, some research should be carried out by the Coal Board. I find that these people in the Coal Board do not even undertake preliminary research or do any thinking. They simply hand over everything either to the Fuel Research Institute or to the Council of Industrial and Scientific Research. They hand over these things to that Council and pay some money. As an alternative resource, in case sand is not available either in the Damodar River or near Maithon, we should know whether stone crush could be utilised for stowing. Some years ago there was a suggestion that wherever there is a short supply of sand, stone crushing should be resorted to and that should be used in stowing operations. That also should be gone into by a very important committee.

Now I come to the Central Ropeways Scheme, Dhanbad. There are some companies, for example, the Bengal Coal Company, whom I do not know but whom I judge by their performance. These people had the Porbalia colliery and the seam could not be worked for four years. They had Chinakuri and there also the seam could not be worked. Now this great company for all its past performance has been given additional lease to work and it is going to increase production. The Central Ropeways Scheme has to assist all such mine-owners. I would only say that if the Government are serious about exercising a thorough check on the various stowing operations, the old Act as it stands will not be able to give the result or do that.

I read that this Central Ropeways Scheme which is being sponsored has to be undertaken by foreign contract. I do not mind their entering into colaboration for this because the ropes and other things are not available, but they should see that the whole scheme is completed within a particular period of time. A time schedule should be drawn for the various phases of the work.

I welcome the amendment which has been proposed for the protection of railways property. Last year we had two serious accidents averted on our railways. The coal underground was taken away and they did not do stowing with the result that there was subsidence of the whole surface along with the railway line. It was on the Asansol-Dhanbad Grand Trunk route. It was discovered sufficiently early, otherwise the train would have passed and there would have been a derailment and many people would have been killed. Therefore I welcome this amendment.

Then I come to the most important point which has been discussed several times. That is with regard to the uniform price of coal. They are going to give a subsidy for the despatch of coal to the south and to the west coast. Having this uniform coal price would mean increasing the price of coal on an average by Rs. 8 per ton. Today we are raising 5 crore tons of coal on the whole and by way of freight charges on the transport of coal the railways earn about Rs. 40 crores. For the present I shall omit the 1 million tons which is transported by the sea route. So, it would mean that the coal price has to be increased uniformly by Rs. 8 per ton. By this the present users of coal who are far away from the coal fields will benefit to some extent. At present 80 per cent of the coal production is confined to the Bengal-Bihar area. Though there are coal-bearing area in Andhra Pradesh and in Madhya Pradesh, for a variety of reasons they have not been developed. They could also be developed. There are plenty of coal-bearing areas, but somehow or other these areas have not been developed.

So, coal price will have to be increased by Rs. 8 per ton and it will be uniform. Of course, this will affect certain industries which are situated in Bengal and Bihar near the coal fields. Some years ago we were told that this problem would be discussed thoroughly and a decision would be arrieved at as soon as the report of the Sea-Rail Coordination Committee which went into the question of co-ordination between sea and rail transports was available. Now the report is available. That is what the hon. Minister told us. In the mean time the Estimates Committee has also recommended some years ago that there should be a uniform price. When we have got a uniform price for fertilisers, why this could not be had in the case of coal, it being a very important commodity and a basic raw material? You yourself have come forward with legislation for increasing the ceiling for stowing from Rs. 1 to Rs. 4. Then why could this not be undertaken? The Estimates Committee has given its recommendation. Various quarters have ben demanding this. Various people have been suggesting this because it is an important raw material. The hon. Minister has now said that he is likely to increase it by Rs. 1.20 nP to Rs. 1.50 nP. But I am very clear that there is not going to be any subsidising of coal that is transported either to the south or to the west coast because this amount is required entirely wherever stowing operations are undertaken as stowing is going to be costly because we are going deeper. So, there will not be any money left for this.

When I was in the Railway Convention Committee I found that 1 million tons of coal which is required for the railways is being transported by sea and they pay freight charges of Rs. 2.65 crores over and above what they would have paid if the whole coal had been carried by the railways. So, out of this money what is he going to give for subsidising, which will have to be much more to the West coast? If this is the amount for the east coast where there are Cuddalore and Tuticorin, if they are to pay Rs. 2.65 crores for 1 million tons, what will happen to the west coast which is starving for want of fuel? So I do not think that

[Shri T. B. Vittal Rao]

a large amount of subsidy will be had this year. Therefore the only remedy lies in the fact that there should be a uniform price all over.

Even here, a subsidy is being given to the industry. How? I will tell you. 1 million tons of coal required by the railways is received by them by the sea route because they do not carry it by the rail route and the coal required for the industries in the private sector is transported by the railways. It is not that this 1 million tons of coal is carried by the sea route because there is a transport bottleneck. It is in order to provide some sort of a subsidy to these industries. Not only that. In respect of a good quantity of that 1 million tons which the Railways have been getting by the sea route, they have always been saying that it is being transported like that because they want to subsidise coastal shipping. The proceedings will show that they have stated it on several occasions. I would therefore very strongly urge that if you want that there should be dispersal of industries in various parts of the country there should be a uniform coal price. Otherwise those regions which are situated far away from the coal mines will be very badly hit, and that willl impede the industrial growth of the country.

Secondly, about stowing I only wish to urge that a comprehensive Bill should have been brought forward when the hon. Minister is raising the cess. That would have been better. That is all that I have to say on this.

**Shri Aurobindo Ghosal** (Uluberia): This Bill has been brought with the purpose of raising the excise duty from Re. 1 to Rs. 4 per ton. At present, of course, though the ceiling is fixed at one rupee, still the actual rates of levy are 83 naye Paise per ton of coal and soft coke and 94 naye Paise per tons of hard coke. Two reasons have been mentioned in the Statement of Objects and Reasons for this increase. One is to meet the expenses to be incurred for stowing purposes and on the ropeway scheme, and the other is for subsidising the expenses that will be incurred on carrying coal from the coal-bearing areas to the south and to the west.

**Sardar Swaran Singh:** By sea.

**Shri Aurobindo Ghosal:** Yes, by sea. Nobody will dispute about the purpose. The first reason is the necessity of supplying sands for stowing purposes in order to take out coal from the pillars of the mines. Something was stated in answer to a question put by me last time. I wanted to know what is the quantity of coal that is locked up in the pillars in these mines. I was told that no estimate has been taken of it so far. Now I presume that a huge quantity of high-grade coal is being locked up in there pillars which it is necessary to bring out for our purposes. Naturally, sand stowing is necessary in order to take out that coal from the pits. Sand stowing is also necessary to prevent accidents which occur from above in the coal mines area as a result of collapse of roofs. In the last one year, about five or six major cases have occurred due to the fall of roofs, and the reason attributed is that the area was not stowed with sand properly.

The real difficulty experienced in sand stowing was the shortage of wagons to carry the sands, not so much the non-availability of sands. Because, in the Conference of Coal-mine Owners they said that due to the shortage of supply of wagons the sands are not being carried to the mines to enable them to complete the stowing operations. They did not complain either about money or about the non-availability of sands

Naturally, the question of increasing the excise duty in order to subsidise the expenses incurred in carrying the sand from the area where it is available to the coal mines did not arise even in the minds of the coal mine owners. Therefore I think there is no necessity of increasing the exise duty for stowing purposes.

Secondly, regarding the carrying of coal by sea, it has been stated by the Railway Minister several times—and this has already been referred to by Shri T. B. Vittal Rao—that he is sending coal to the south and the west by sea in order to subsidise coastal shipping. It is a question of subsidising coastal shipping, why does it become necessary to raise the rate of excise duty by 400 per cent just to subsidise the coal freights? I think that that contention of the hon. Minister is not tenable for the purpose of raising the excise duty to such an extent.

According to the budget estimates, the net revenue from this levy at th existing rate which the Coal Board is to receive during 1961-62 would be about Rs. 380 lakhs. With the limit raised to Rs. 4 per ton, the actual increase in the excise levy would be so determined as to bring an additional revenue of Rs. 700 lakhs per year. Out of this amount Rs. 400 lakhs would be utilised to subsidise coastal shipping of coal, and the rest, that is Rs. 300 lakhs, would be used for safety, conservation and ropeway purposes. My objection is that the whole increase is going to be shifted to the shoulders of the consumers, this heavy burden is likely to be passed on to the consumers who are already heavily taxed in many other ways.

As regards the introduction of uniform price of coal at all railheads, I do not agree with the suggestion made by Shri T. B. Vittal Rao. Of couse it is quite true that in order to bring uniformity in the development of different areas, there is necessity of some uniformity in the prices of basic raw materials. But it is also a fact that where industries have developed in the areas where 80 per cent of coal is used, those industries would be made to suffer by increasing the coal rates. That has to be taken into consideration. Because, it has been stated that 80 per cent of coal is being used in the coal-bearing areas, that is Bengal, Bihar and some parts of Orissa. The Steel mines and industrial cities are situated in this area. If that is the case, how can it be suggested that the coal rates should be raised in order to develop other parts of India? Naturally, there may be some sort of subsidy given. But if the price of coal is raised, it will not only fall on the consumers who are using it directly but also on the industries, and the result of that will be that the prices of the industrial goods will also rise. I therefore oppose the suggestion about the introduction of a uniform price of coal at all railheads. Because, all over the world, due to to the geological advantages some areas are developed, for instance the Ruhr area in Europe, because so many raw materials are available. In no country of the world can all the prices of raw materials and minerals be equalised so that all areas of the country may be developed uniformity. It may be subsidised in other ways. The other places can be developed in other ways, but not by the introduction of uniform prices for minerals.

Lastly, regarding the ropeway scheme, I welcome it and we should try to see that it is implemented immediately.

**15·47 hrs.**

[SHRI JAGANATHA RAO *in the Chair*]

Regarding another item of amendment, namely about declaring the railway property for safety purposes, I welcome it; because we have seen that many times the miners are going underground, but the rail lines are above the ground.

Not only will the railway lines, which are the property of the nation, be endangered, but even the lives of people will be at stake if

[Shri Aurobindo Ghosal]

no proper steps are taken in this behalf. From that point of view, I welcome the procision made in this Bill.

But, after all, this increase, for which the consumers will be fleeced, is not desirable, and, for that reason, I oppose this.

**श्री बजराज सिंह** (फिरोजाबाद) : सभापति महोदय, इस बिल के द्वारा कोयले पर एक्साइज ड्यूटी बढ़ाने का प्रयत्न किया जा रहा है, यह बहुत ही आपत्तिजनक बात है । हमेशा जब उपभोक्ता से, जनता के किसी हिस्से से सरकार को पैसा लेना हो तो वह बजट प्रस्तावों द्वारा लिया जाना चाहिए । इस प्रकार के बिलों में परिवर्तन करके वह बात नहीं की जानी चाहिए । लेकिन और भी अधिक आश्चर्यजनक और आपत्तिजनक बात यह है कि इस कानून के द्वारा जहां मंत्री महोदय १ रुपए प्रति टन से बढ़ा कर चार रुपए प्रति टन की व्यवस्था कर रहे हैं, वहां यह बात भी अपने अधिकार में ले रहे हैं कि जब वह चाहें तो डेढ़ रुपए प्रति टन की ड्यूटी कर सकते हैं, जब चाहें दो पए प्रति टन की ड्यटी कर सकते हैं और इस प्रकार जब चाहें अपने अधिकार से चार पए प्रति टन तक ड्यूटी बढ़ा सकते हैं । मैं कहना चाहता हूं कि जब कभी भी एक्साइज ड्यूटी बढ़ाने की बात हो तो सिद्धान्ततः वह सवाल संसद के सम्मुख आना चाहिए और संसद को अपने विचार प्रकट करने का अवसर दिया जाना चाहिए कि ड्यूटी बढ़ाना उचित है या नहीं ।

मंत्री महोदय की तरफ से यह कहा जा सकता है कि पहले जो कानून बना था उसमें भी यह व्यवस्था थी कि नोटीफिकेशन द्वारा सरकार एक रुपए प्रति टन तक ड्यूटी लगा सकती थी । उन्होंने बजाए एक रुपए के अभी तक केवल ८८ नए पैसे या ९२ नए पैसे प्रति टन की ड्यूटी अलग अलग प्रकार को कोयले पर लगायी है । किन्तु पहले भी इस तरह की बात हो चुकी है इसलिए आज भी यह बात की जा रही है, मैं समझता हूं यह उचित नहीं है ।

इसलिए पहली बात जो मैं कहना चाहता हूं वह यह है कि इस प्रकार के कानून द्वारा एक्साइज ड्यूटी बढ़ाने की बात कभी नहीं होनी चाहिए और खास तौर से ऐसी सूरत में जब कि नोटिफिकेशन के द्वारा आप इस तरह का अधिकार लेना चाहते हैं क्योंकि मुझे सन्देह है कि नोटिफिकेशन पर हम इस सदन में बहस कर सकेंगे । जो किसी कानून के अन्तर्गत नियम बनाए जाते हैं उनके लिए तो हमने ऐसी परम्परा का विकास कर लिया है कि उनको संसद की मेज पर रखा जाए और अगर कोई माननीय सदस्य चाहे तो उन पर बहस की जा सकती है लेकिन जब आप नोटिफिकेशन द्वारा यह ड्यूटी बढ़ायेंगे तो उस पर हम इस संसद में बहस नहीं कर सकेंगे । आप जब भी ड्यूटी को बढ़ा कर १ रुपया २० नए पैसे या एक रुपया ५० नए पैसे या दो रुपए करना चाहेंगे तो आप नोटिफिकेशन जारी कर देंगे और संसद को कोई अधिकार नहीं रहेगा कि वह अपने विचार व्यक्त कर सके कि यह ड्यूटी बढ़ाना आवश्यक था या नहीं । इस तरह आप चार रुपए तक ड्यूटी बढ़ा सकते हैं और जब तक आप इस सीमा से आगे नहीं जायेंगे तब तक संसद को इस पर अपने विचार प्रकट करने से इस कानून द्वारा रोक देंगे । जब मंत्री महोदय ड्यूटी को बढ़ा कर केवल १ रुपया २० नए पैसे या १ रुपया ५० नए पैसे करना चाहते है तो फिर उनको चार रुपए प्रति टन तक ड्यूटी बढ़ाने का अधिकार लेने की क्या आवश्यकता थी । मैं चाहूंगा कि मंत्री महोदय इसका स्पष्टीकरण करें ।

इसी के साथ साथ यह प्रश्न भी उठता है कि सरकार को अपनी कोयला ढोने की नीति पर भी गम्भीरता से विचार करना चाहिए। पिछले एक साल से हम देखते हैं कि कभी किसी एक जगह कोयले का अकाल पड़ता है तो कभी दूसरी जगह कोयले का अकाल पड़ता है । संसद में यह सवाल उठाया गया और प्रैस में

चर्चा हुई उसमें कहा गया कि रेल मंत्री और कोयला मंत्री में आपस में मतभेद है और फिर मंत्री महोदय श्री स्वर्ण सिंह को सदन में घोषणा करने की आवश्यकता पड़ी कि उनमें कोई मतभेद नहीं है। मैं चाहूंगा कि यदि कभी इस प्रकार का मतभेद मंत्रियों में आपस में हो तो उनको इस्तीफा देकर सरकार से अलग हो जाना चाहिए। केवल ऐसी घोषणा करने से काम नहीं चल सकता।

**एक माननीय सदस्य** : कोई मतभेद नहीं है।

**श्री ब्रजराज सिंह** : खुशी है कि मतभेद नहीं है। फिर भी कोयला ढोने की नीति स्पष्ट होनी चाहिए जिससे मालूम हो सके कि सारे देश में किस प्रकार कोयला पहुंचाया जा सकता है या उसके मार्ग में क्या क्या कठिनाइयां हैं। मैं कहा चाहता हूं कि ऐसी नीति निर्धारित करने में अभी तक सरकार असफल रही है और जो आप इस कानून के द्वारा शिपिंग को चार करोड़ की सबसिडी कोयला ढोने के लिए देने की व्यवस्था करना चाहते है उससे कोयला ढोने की समस्या हल नहीं हो सकेगी। आप पानी के जहाजों द्वारा दस लाख टन कोयला ढोने की बात सोचते हैं लेकिन क्या दस लाख टन कोयला जहाजों द्वारा ढोने से मुल्क की कोयले की समस्या हल हो सकती है। मैं कहना चाहता हूं कि इस तरह का बिल माननीय मंत्री महोदय को सदन के सम्मुख लाना चाहिए था और उस पर विचार होना चाहिए था कि किस प्रकार कितना कितना कोयला रेल सड़क, और पानी द्वारा ढोया जा सकता है। इससे पहले भी सरकार के सामने इस प्रकार का सुझाव रखा जा चुका है कि रेल और पानी से जो कोयला ढोया जाएगा वह तीसरी पंचवर्षीय योजना को सफल बनाने के लिये काफी नहीं होगा। इसलिए आवश्यक है कि रेल और पानी से कोयला ढोने के साथ साथ सरकार सड़क द्वारा कोयला ढोने की व्यवस्था भी करे। मैं जानना चाहता हूं कि जिस प्रकार सरकार ने इस बात की जांच की और पता चलाया कि पानी के जहाज से कोयला ढोने से रेल के मुकाबले में इतना किराया ज्यादा लगेगा, क्या सरकार ने कोई इस प्रकार की भी जांच की है कि सड़क से कोयला ढोने में पानी के जहाज से कम किराया पड़ेगा या ज्यादा। इसकी जांच पड़ताल होनी चाहिये क्योंकि जहाजों द्वारा दस लाख टन अतिरिक्त कोयला ढोने से देश की आवश्यकता पूरी नहीं हो सकती और यह समस्या इस तरह हल नहीं हो सकेगी।

अभी हम साढ़े पांच करोड़ टन कोयले का उत्पादन कर रहे हैं और तीसरी पंचवर्षीय योजना के अन्त तक हम दस करोड़ टन कोयले का उत्पादन करने लगेंगे। हमको अभी से विचार करना होगा कि उस समय हम कोयले को किस प्रकार ढो सकेंगे। इस सारे प्रश्न पर तीसरी पंचवर्षीय योजना के शुरू होने से पहले ही विचार होना चाहिये था। जब तक इस प्रश्न पर विचार नहीं होता तब तक बार बार देश में कोयले के संकट आते रहेंगे और देश में यह भावना फैलती रहेगी कि सरकार इस समस्या को गम्भीरतापूर्वक नहीं ले रही है। इसलिये मैं कहना चाहूंगा कि जहां हम यह सोचते हैं कि हम किस प्रकार रेलों से और जहाजों से ज्यादा कोयला ढो सकते हैं, वहां हमको सड़क यातायात का विकास करके उसके द्वारा भी कोयला ढोने की सम्भावनाओं पर विचार करना चाहिये। जब सड़क द्वारा कोयला ढोने की बात आती है तो मैं कहना चाहता हूं कि ऐसा मालूम होता है कि सरकार सड़क द्वारा कोयला ढोने के प्रश्न पर अधिक ध्यान नहीं देना चाहती। मैं विशेषज्ञ तो नहीं हूं लेकिन मैं समझता हूं कि पानी के जहाज से कोयला ढोने के मुकाबले में सड़क से कोयला ढोने में कम खर्चा पड़ेगा। मैं विशेषज्ञ नहीं हूं लेकिन मैं इस प्रकार का संकेत सरकार के सामने रख रहा हूं। और मैं चाहता हूं कि सरकार इसकी जांच पड़ताल करे। मेरा सुझाव है

[श्री ब्रजराज सिंह]

कि इस कोयले ढोने की योजना पर गम्भीरता पूर्वक विचार होना चाहिये और हमको लक्ष्य स्थिर कर लेना चाहिये कि तीसरी योजना के काल में हम कितना कोयला रेल से ढो सकेंगे, कितना पानी के जहाज से ढो सकेंगे और कितना सड़क द्वारा ढो सकेंगे । यदि हम इस तरह के लक्ष्य स्थिर नहीं करेंगे तो हम को तीसरी पंचवर्षीय योजना के काल में कोयला ढोने के सम्बन्ध में हमेशा कठिनाइयों का सामना करना पड़ेगा । तो मैं कहना चाहता हूं कि कोयला ढोने के लिये सरकार को किसी सुनिश्चित योजना पर विचार करना चाहिये । मैं समझता हूं कि अब समय आ गया है कि हमें इस बारे में कोई सुनिश्चित योजना बना लेनी चाहिये क्योंकि इस प्रकार की योजना के अभाव में कोयले की कमी के कारण देश के औद्योगिक उत्पादन में कमी पड़ जाती है । इसलिये मेरा सुझाव है कि न केवल सरकारी स्तर पर इस प्रश्न पर विचार होना चाहिये बल्कि संसद् को बार बार इस विषय में विश्वास में लिया जाना चाहिये, और यदि माननीय मन्त्री महोदय इस प्रस्ताव पर विचार करना स्वीकार करें तो मैं कहना चाहूंगा कि संसद् की एक छोटी सी कमेटी बनायी जाए जो इस प्रश्न पर विचार कर सके । यह न समझा जाना चाहिये कि ऐसा सरकार की आलोचना की दृष्टि से कहा जा रहा है । ऐसा करने से आपको कुछ मूल्यवान सुझाव मिल सकते हैं जिनसे आप अपनी समस्या को हल कर सकेंगे । मैं जानता हूं कि विशेषज्ञों की, खास तौर से सरकार के जो सेक्रेटरी लोग हैं, उनकी एक कमेटी कोयला ढोने के प्रश्न पर विचार करने के लिये बनी थी, उसने कुछ रिपोर्ट दी है उसी के आधार पर विचार हुआ । लेकिन इसके साथ ही अगर सरकार संसद् के कुछ माननीय सदस्यों की, जिन्होंने इस समस्या का अध्ययन किया हुआ है, एक छोटी सी कमेटी बना दे और वह इस प्रश्न पर विचार करे तो सरकार को उससे किसी निश्चय पर पहुंचने में मदद ही मिलेगी । इसमें आलोचना का कोई सवाल नहीं है । इसलिये मैं चाहूंगा कि मन्त्री महोदय इस पर विचार करें ।

मन्त्री महोदय ने कहा है कि वह जो एक्साइज़ ड्यूटी में बढोतरी करने जा रहे हैं उससे सरकार को सात करोड़ रुपए सालाना की आमदनी होगी ।

**Mr. Chairman:** Is the hon. Member likely to take some more time?

**Shri Braj Aaj Singh:** Yes.

**Mr. Chairman:** He may continue tomorrow. We will now take up the other business on the agenda.

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**16.00 hrs.**

## MOTIONS RE: 17TH AND 18TH SESSIONS OF INDIAN LABOUR CONFERENCE

**Shri S. M. Banerjee** (Kanpur): I beg to move:

> "That this House takes note of the Summary of the main conclusions of the Seventeenth Session of the Indian Labour Conference held at Madras in July 1959, laid on the Table of the House on the 7th December 1959".

I am glad that we are having a discussion on the various recommendations of the 17th and 18th Indian Labour Conference.

**Mr. Chairman:** Is the hon. Member moving the other motion also?

**Shri S. M. Banerjee:** Unfortunately, Shri Naushir Bharucha, who is to move the other motion, has gone

to attend a meeting and will come back only at 4.30 p.m. He has told me about it.

**Shri D. C. Sharma** (Gurdaspur): He wants to monopolise.

**Shri S. M. Banerjee:** Not at all. It is Shri D. C. Sharma's monopoly, not mine.

**Shri Naushir Bharucha** (East Khandesh): I shall move my motion afterwards.

**Shri S. M. Banerjee:** My name is in both the motions. So may I speak on both?

**Mr. Chairman:** Yes.

**Shri S. M. Banerjee:** When I rise to initiate a discussion on the various recommendations of the 17th and 18th Indian Labour Conference, it is a very unfortunate picture which is before my eyes both in the private sector and in the public sector. I was in Kanpur yesterday and as you know from the newspapers....

**Mr. Chairman:** The time allotted for both motions is two hours.

**Shri S. M. Banerjee:** I will take 25 minutes, not more.

**Mr. Chairman:** Other Members also would be anxious to speak.

**Shri S. M. Banerjee:** I will not speak later on.

**Mr. Chairman:** Shri Naushir Bharucha will move his motion.

**Shri Naushir Bharucha** (East Khandesh): I shall take 15 minutes.

**Mr. Chairman:** The hon. Member will take only 20 minutes.

**Shri S. M. Banerjee:** In Kanpur, one of the textile mills headed by the great Jaipurias has declared a lock-out. Also, 5000 workers working in various tanneries in Kanpur are still on strike. The strike has entered the 18th day. 10,000 workers are idle today in Kanpur. Instead of negotiating with them and conceding their demand, the employers have declared a lock-out. That is the specimen of industrial relations we are having in Kanpur.

What was the demand of the employees there? The management of the Swadeshi Cotton Mills forced the workers to work extra hours. They wanted to change it from 8 to 9 hours, which was unrealistic. A legal notice of strike was given by the Suti Mill Mazdoor Sabha. The negotiate, but unfortunately there was no fruitful negotiation and the employers declared a lock-out yesterday. Everything was settled in the Kanpur tanneries and workers wanted to go back to work. They simply wanted an assurance from the employers that there would be no victimisation after the withdrawal of the strike. Even this no-victimisation assurance has not come forward from the employers. The Labour Minister of Uttar Pradesh and the Labour Commissioner of Uttar Pradesh are trying their best.

But I want to raise one question, a question which is posed to me and to all citizens in Kanpur by the workers how is it that the giverment machinery has failed to move in this matter in the right direction. The whole tragedy in Kanpur is that they made a handsome donation—my mentioning this might irritate my most respected and hon. friend, our Labour Minister, Shri Nanda—before the strike took place. I am sorry that during the strike our newly-elected Chief Minister of Uttar Pradesh came to Kanpur and he was given a purse of Rs. 23,000.

**The Deputy Minister of Labour (Shri Abid Ali):** The workers of Kanpur have also contributed to that.

**Shri S. M. Banerjee:** There is no question of workers contributing. I know it. I only wish that the hon.

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Deputy Minister should sometime contest from Kanpur.

**Shri Abid Ali:** I am very much connected with them since childhood.

**Shri S. M. Banerjee:** He was not a Minister in childhood. Kanpur people are very affectionate to their chaildren.

**Shri Narayanankutty Menon** (Mukandapuram); He did not say who contributed.

**Shri Abid Ali:** I know workers too have contributed.

**Shri S. M. Banerjee:** Sir, this is not the question of workers.

Shrimati Sucheta Kripalani is quite new in U. P. She does not know the politics of U. P. There the entire election is decided with the money of the capitalists and Kanpur's share is number one. I would only request that the Centre must come to the rescue of the workers. Otherwise, the tragedy of 1955 is going to be repeated in Kanpur. I am not giving any threat; it is in reality the most unfortunate thing that is likely to happen.

The hon. Labour Minister discussed the entire question in the 18th Labour Conference. While summing up the discussion, the Labour Minister who was presiding over that conference said that in the context of the measures contemplated by Government—reference was also made to banning of strikes—it was really intended by Government to create a situation where strikes become unnecessary and superffuous. He said that he wanted to bring some sort of machinery or Whitely Council or whatever it may be by which the strike would become superfluous in the Central Government undertakings.

The other day, in reply to a question, the Deputy Minister said that a Bill will be brought in this House—not in this Session but probably in the next Session. When the opinion of the INTUC, AITUC, HMS, and UTUC was against the banning of strikes, was against the elimination of outsiders, I do not know how a Bill is being drafted which is likely to be brought here in this House for passing. I can even quote from the statements of the Labour Ministers of the various States. Pandit Binoda Nand Jha, Shri Shantilal Shah and others also addressed the Conference and said that this is not the solution. You cannot possibly ban strikes or ban outsiders.

I would only remind the hon. Minister of the solemn promise he made during the concluding session of the 18th Labour Conference when he said that he would see that the strike is made superfluous. Why then is a Bill necessary? I am told that recently when he discussed matters connected with this Bill with the employers' representatives, he told them that strike in the civil services including industrial establishments but not excluding Corporatins in the public sector would be banned in justification of providing a machinery for joint cnsultation and compulsory arbitration. I do not know why it is necessary, when we feel that the strike can be made superfluous.

**The Minister of Labour and Employment and Planning (Shri Nanda):** What is the hon. Member quoting?

**Shri S. M. Banerjee:** I am not quoting. I am only stating the gist of the discussions which has appeared in the RMS Workers and other papers of the P. & T. Federation.

**Shri Nanda:** I am supposed to have said that.

**Shri S. M. Banerjee:** That is the gist of the discussions. I do not know whether you said it or somebody else said it. The Bill banning the strike is coming; it is a reality.

The victimisation question was also discussed in this particular conference. It is a tragedy that even after the withdrawal of the strike and even after so much suffering still about 600 employees are out of their jobs. The Railway Ministry came out with the definition of 'gross misbehaviour'. I need not read it now because it has been read during the general discussion on the Railway Budget. This letter was issued by the Railway Board on 2nd February 1961, probably with the concurrence of the Home Ministry. I want to know if this definition is accepted. If so, I am sure all these workers can be reinstated. About 630 are still out of their jobs. In the Defence estalishments there were no cases of sabotage or violence; still about 41 workers are out of their jobs. I do not know what is the criterian, how the cases have been decided and hey have been concluded and it was found that they were involved in gross misbehaviour. The definition was given by the Railway Board but not accepted by them and others.

The Whitely councils are coming before us. The Central Government employees will have these councils on the Joint Council at the national level and at the departmental level. It is said that the outsiders will be eliminated from it. If the Labour Minister or the Home Ministry or the Defence or the Railway Ministry can give immunity and protection to the Central Government employees working there, there is no need for outsiders. But actually what happens? In the 512 command workshops at Kirkee, seven people have been dismissed from service after the strike; four of them are in the works committee. In 1959 when the works committee was formed they raised this question and they took protection under the rule of the Labour Ministry that for one year the labour representative should be the chairman of the works committee. It was their fault. The works committee never functioned. Those people who raised this issue were also unfortunately involved in the strike and have been removed. I am sure that these Whitely Councils are not going to function correctly unless some protection is given to the Central Government employees. If you want to eliminate the outsiders, protection is necessary. I would request the hon. Labour Minister to consider what is employees today. Why has this strike taken place? If you analyse it, you will know the truth.

In the 16th Labour Conference in 1958, the representatives of the P. and T. Department and also Defence Ministry said this . . . (*Interruptions*) There is no question of politics in it. We said; let there be some machinery evolved; let the demand be fully discussed. And the hon. Labour Minister promised that he was going to have a conference of the public sector employees. That conference was confined to the corporation employees only. After that the Defence and other Ministries never wanted the Labour Ministry to function. The hon Labour Minister says that strikes must become superfluous. I am sure if the other Ministries were allowed to have their way, they will try to make the Labour Ministry superfluous in this country. I am happy that they have accepted some code of discipline in the various undertakings for the industrial employees at least. I would request that all these victimisation cases should be scrutinised by a tribunal; all these victimisation had taken place because of the past prejudices. The assurances given by the late lamented Home Minister, Pandit G. B. Pant and also by the hon. Labour Minister have not been translated into action. That is my accusation. If these assurances were correctly implemented, the number of employees dismissed or removed from service would not have been 630 or 640.

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The hon. Prime Minister, while speaking in Lucknow said something about the Central Government employees. I am one of the warmest admirers of the Prime Minister; I have all respect for him.

**An hon. Member:** Then why are you in the Opposition?..... (*Interruptions.*)

**Shri S. M. Banerjee:** It is reported in the paper that the Prime Minister made some remarks about the Delhi Parliamentary by-election. He is reported to have said as follows:

> "Government servants formed more than 50 per cent of the electorate. The Jan Sangh had openly declared that most of the Government servants were with them. This class, he said, were responsible for the rise of the Muslim League and now they wanted to give strength to the Hindu communalism. He asked the Congressmen to meet this challenge.....".

I do not know whether the press has correctly reported the hon. Prime Minister. But even if one single sentence or one word of it is correct, I have nothing to say except that it is most unfortunate. The Central Government employees were agrieved and the Central Pay Commission award was not satisfactory. They played with the lives of the Central Government employees and they told the employees: "You can get 32 ounces of commodities for 56 nP". I am yet to see a shop either in the rural or in the urban areas where 56 nP will get 32 ounces of any commoditiy.

In regard to the Delhi by-election, I am not happy about the victory of the right reactionary force like the Jan Sangh. The Congress was defeated. Had the Congress won, it would have been a vote of confidence of their misdoings in regard to the Central Government employees, about the hatred ordinance, and about the police suppression and other things. If the Central Government employees take this statement seriously, they could pose a question like this: was it not the hon. Prime Minister who divided this country and who brought back the skelton of the Muslim League in Kerala just to defeat the Communists? The Prime Minister should not have said that. It is hitting below the belt. After all, the Central Government is not run by the Secretaries, by a few ICS officers, but is run by the LDCs, UDCs, the clerks and assistants. When the beloved Prime Minister of this country said that they were responsible for the establishment of Muslim League, when he himself was a party to the division of this country. I was sorry for that statement. Instead of solving the problems of the Central Government employees, such a comment is given, after being defeated in Delhi. If such things come out from a man who is least communal, who is most respected, really it is unfortunate.

I would request the hon. Labour Minister to consider the matter of recognition. Whenever we say in this House that recognition must be restored, he says: "No, no; they have done a bad job." Why is not, recognition restored? It has a history: because the Indian National Trade Union Congress has to be boosted up. The Indian National Trade Union Congress cannot thrive because it is anaemic. Nobody can transfuse blood into it. It is toeing the line of Government. It is just like the loyal Nagas who cannot deliver the goods. Of course, I do not say that the hon. Minister is interested in it. But then how can recognition be denied? Let the Whitely Councils function. How long can the grievances be accumulated like this? Since 1956 or since

1958 or 1959; we have been telling the Government that various anomalies from the report of the Pay Commission would erupt some day, and unfortunately for us, they have erupted and created a situation which was neither in the interests of the Government nor in their own interests. What would happen when the line between hunger and anger moves? It moves fast and ultimately when it meets it does erupt; naturally the result is, what you call chaotic or anti-national or anything like that. After all, the strike was based only on economic demands.

**Mr. Chairman:** The hon. Minister's time is up.

**Shri S. M. Banerjee:** Two minutes more. I would request the hon. Minister to consider the question of restoration of the recognition. I do not know whether the Whitely Councils will come up next month. After all, the serious anomalies in the Pay Commission's recommendations must be discussed at a meeting and there must be some forum for it. Otherwise, what is going to happen? If the ordinance could not check the strike, can a ban on strikes check the strikes? The history of bans is that wherever there has been a ban there have been more strikes.

Then a question arises between the good outsiders and the bad outsiders. The members of the INTUC are good outsiders. My hon. friend Dr. Melkote is a good outsider. I am a bad outsider. How can these things be decided? After all these are all relative terms. I may concede that Dr. Melkote is a bad outsider. Who is to decide it? The question was posed at the 18th Labour Conference. As somebody said, those people who create confusion and chaos are all bad outsiders. I would ask what would happen to those people who travelled without tickets, those who belonged to the INTUC? After all, travelling without tickets is also bad. These are a few cases. I am only trying to show that you cannot discriminate between these things.

With these words, I request the Minister to kindly appoint a tribunal to go into the cases of victimisation, which I am sure the Government will not do, because they know that this victimisation is based on past prejudices. If any honesty is left, let the hon. Labour Minister, in whom I have the fullest confidence, appoint an impartial tribunal. Secondly, recognition must be restored. Thirdly, the private employers in Kanpur are creating a situation and I request the hon. Minister to come forward and take steps to solve that problem. Otherwise, these privy purses to Congress people at the time of election—it is like privy purse—will not solve any problem. I am sure the hon. Minister is interested more than us to see that no industrial unrest takes place and industrial harmony remains.

The workers and employers are like two reeds of the piano—the block reed and the white reed. If I play on the black reed alone, it will not be a nice tune. Playing on both is necessary to create harmony. I am sure the hon. Minister will consider this.

I would request him not to criticise the Central Government servants for voting for the Jan Sangh. There was anger in them against the Government and I hope it should be a lesson to the Congress. They should not criticise the Central Government employees, who are the backbone and the foundation of the Government, who are never seen, but who have gone deep to keep the foundation of the Government alive. The person whom everyone looks at is the Minister, but the real backbone and the real foundation of the Government is the Central Government employees—the LDCs, UDCs, Assistants and the industrial workers—not the Secretary and the Minister who are policy-makers. They cannot save the Government from a crisis. It is the poor LDC who lives in a two-room tenement and the class IV employee who lives in a single-room tenement who will save the

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Government at the time of need, whether against foreign aggression or internal crises.

**Mr. Chairman:** Motion moved:

> "That this House takes note of the Summary of the main conclusions of the Seventeenth Session of the Indian Labour Conference held at Madras in July, 1959, laid on the Table of the House on the 7th December, 1959."

**Shri Naushir Bharucha:** I beg to move:

> "That this House takes note of the Summary of proceedings of the Eighteenth Session of the Indian Labour Conference held at New Delhi, on the 4th and 25th September, 1960 laid on the Table of the House on the 21st December, 1960."

I have carefully perused the proceedings of the 18th Indian Labour Conference and I find that the proceedings of the conference were shadowed by the strike of the Central Government employees. There was too much condemnation of the strike. But I looked in vain in these proceedings to find out whether any effective remedy to prevent the recurrence of a strike like that by removing the causes has been found by the conference. But I looked in vain.

It is a matter of great satisfaction that the Labour Minister, who was the Chairman, in his concluding speech observed:

> "Referring to the observations made during the discussions regarding the character of the strike, he did not think that from the very start it was political."

I am glad that even this belated acknowledgment has come that the strike was not a political strike. Of course, he qualifies it by saying "at the start". But the fact remains that the strike was in respect of an industrial dispute.

The purpose of labour conferences would be wasted unless they devise some concrete method of overcoming certain difficulties. Among the numerous problems that come before the labour conference, I am only concentrating today on that aspect which deals with settlement of disputes between Government employees and the Government. It will be recalled that the 17th Indian Labour Conference had accepted one fundamental principle and it is incorporated in the proceedings, namely:—

> "It was agreed that the legislative and administrative policies of the Central and State Governments and policies of the employers' and workers' organisations should not run counter to the broad lines of policy adopted at the Labour Conference."

In other words, Government gave a solemn undertaking that its policy will not run counter to the conclusions arrived at by the conference, of course, broadly.

One of the conclusions arrived at was that there should be voluntary arbitration. It is said: "increasing recourse to arbitration should be had without compulsion from Government". The employers also agreed to develop this new line of approach. It was also said that a panel of arbitrators should be maintained. Then it is said; "Principles and norms so far evolved should be published" etc. The broad principle was that recourse to arbitration should be had.

Let us recall the facts as they stood when the strike was launched, because repeatedly Labour leaders are being blamed for precipitating a strike that endangered the security of the nation. If you start from the presumption that the strike was an industrial dispute, let us assume, even at the beginning.

how could it be coverted into a positical dispute? It may be that political parties may exploit that industrial dispute. I can understand that. But, in essence if that strike was based on an industrial dispute, then the fact remains that there was an industrial dispute right through and nothing else.

Still I am surprised, Sir, that though the 17th session of the Industrial Labour Conference accepted the principle that even Government will go in for arbitration, where was the arbitration principle? Does the hon. Minister deny that the labour leaders before launching the strike made attempts to come to a settlement? Did they not make repeated attempts to come to a settlement? Is it his contention that they brushed aside all his offers for a settlement? Sir, I want a clear answer to that.

May I point out one thing. It is not merely the strike and the Bill that the Government may bring to ban strikes that is going to solve the matter. Basically, that question has to be solved by accepting certain fundamental principles. The first fundamental principle that Government must accept is that they must be prepared for arbitration. The Government's argument, and that is recorded in the proceedings of the 18th Labour Conference in the speech of the hon. Minister, is that the Ordinance was promulgated banning the strike and once the strike was banned if the trade unions resorted to strike, they must be de-recognised, they must be punished.

Sir, I ask this House to consider this very simple issue. Is it not a conflicting statement to make, to say on the one hand that we will accept arbitration and on the other to promulgate the Ordinance? What is this dispute? Originally, according to his own saying, it was an industrial dispute between the Government and the Government employees. How can one party to the dispute promulgate a legislation and say that it is an illegal strike. If one party to the dispute has the power to promulgate an Ordinance banning strikes, how can it be said that the parties accept the principle of arbitration? When we talk of arbitration it implies that either side cannot issue countermanding orders on the other. Otherwise, Sir, there is no sense in talking of arbitration.

What did the Government do? Instead of devising some arbitration machinery, they took a unilateral decision to ban the strike. I ask, is the Government prepared to abandon this, or do I conclude from the speech of the hon. Minister that Government wants to retain the right to promulgate Ordinances whenever a similar situation arises? If they want to retain the right, they cannot pretend that they believe in procedure, of reconciliation or arbitration. The two things are conflicting and mutually exclusive. Therefore, I want the hon. Minister to make clear the policy of the Government, where Government finds an industrial dispute between itself and its employees.

I submit, therefore, that all the labours of the Indian Labour Conference have no meaning unless we arrive at a settlement. The Government profess to arrive at a settlement, without actually doing so.

The second point is whether, even at this belated stage, Government have decided on any principle as to how a strike in Government departments or in the public sector shall be dealt with. Have their proposal, been finalised? Because, from the proceedings of the Conference nothing emerges excepting blind condemnation of the strike; nothing emerges. In fact, the Conference had before it six items, of which it did not discuss five items and the only item which it discussed was strike, and everybody simultaneously said that it is a bad thing. I am telling this Government that it is not enough to condemn strikes. Have you, even at this belated

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stage, any machinery to say that, in the event of a future dispute between Government and its employees, we shall resort to arbitration of a particular character? Have you devised the type of arbitration machinery? Have you ever laid down any governing principles as to how you will deal with industrial disputes between the Government and Government servants? If you have not done this, your annual labour conference has no meaning.

Secondly, the hon. Minister, in his address to the Conference, has made a reference for evolving suitable machinery for settling disputes at departmental level. I want to know whether that special machinery has even now been evolved. That is the second point on which I would like to seek some information.

Thirdly, I want to know whether Government intends to bring in legislation to make strikes illegal, as the hon. Minister in his address before the labour conference put it, in certain situations? May I point out that to bring in measures to ban a strike is throughly incompatible with the principles of arbitration unless banning is liked with satisfactory scheme of arbitration? Either the Government believes in the big stick or it believes in arbitration. It cannot pretend to believe in both. Let us make this quite clear. In disputes between Government and Government servants, Government is a party to the dispute. Therefore, a party to the dispute cannot pronounce judgment on the strike, saying that it is illegal. Then, that is not a matter for arbitration. The whole purpose of my raising this question is this, that it is high time that the Government understood the implications of why a strike was resorted to. If it was an industrial dispute, the natural causes of unrest must be found out and rooted out. In order to do that, if you like, you may evolve a special type of arbitration in the case of Government servants, but that arbitration must be resorted to, and them only it. I am convinced that the Government sincerely believes in this principle of arbitration which it thinks is good for everybody excepting the Government. That is one thing.

The other issue that I desire to raise is in connection with the de-recognition of trade unions. Let us understand that this punishment, which is vindictive and oppressive, is being meted out to the trade unions. Is it not the duty of the labour leaders when an industrial dispute exists, as it did exist on that particular day, on the 8th or 11th . . .

**Shri Narayanankutty Menon:** 8th July.

**Shri Prabhat Kar** (Hooghly): 11th July.

**Shri Naushir Bharucha:** On the 11th July, an industrial dispute did exist, because the hon. Labour Minister says that the strike at its commencement was not political. So, on the 11th of July an industrial dispute existed. If an industrial dispute existed on that day, was it not the duty of those Labour leaders to resort to the ultimate weapon to secure the grievances of the party to the industrial dispute remedied, namely, to strike? And if they were justified in giving the lead and if the Government say now "you cannot strike; if you further strike, your union will be de-recognised" may I point out what it does amount to? Once having given a call of strike, how can any trade union back out of it? And if it does not back out, it is punished. Why? Because Government has chosen to declare it illegal. And it is not an independent tribunal or a court of law which decides that it is illegal; it is the Government, because it has power in its hands, that passes judgment on the character of the strike and calls it illegal. If I and some other party were to quarrel, I have no authority to say "no, you are in the wrong" and then say "your

union must be de-recongised". That is exactly what has happened. I want this Government to declare as to what is its policy with regard to recognition and de-recognition of unions. That question was discussed at the 17th Indian Labour Conference, when principles were laid down for recognition of certain unions.

That provided, among other things, de-recognition for a year or more as punishment for breach of the Code of Discipline. I want to ask whether it can ever be said that a trade union in giving a call of strike in an industrial dispute has committed any breach of the Code of Discipline. Does the Code of Discipline preclude anybody from going on a strike for a genuine ground in an industrial dispute? How can they be de-recognised then? I am afraid, the only answer to that is that it is victimisation in the hope that the INTUC will be boosted up. That is all. There is no justification for it. How long can you keep vast masses of the employees attached to de-recognised unions under this type of suppression and control? It is not possible. Let the Government revise their policy. Other unions will have to exist irrespective of the apprehensions that the Government may entertain, namely, that some day they might prove to be far more powerful than INTUC. Ours is a labour movement where there has got to be freedom for the employees to pick up their own unions and the Government cannot render powerless a union by this artificial device of de-recognition. The Government must recognise those unions if the Government have admitted, as the hon. Minister has admitted, that it was an industrial dispute at its inception. It is bound to recognise those unions again and I appeal to him that he should do so without any loss of time.

I want to ask the Government this. Have you decided on any governing principles and can you measure that there is default on the part of the trade union so that it has got to be de-recognised and what is going to be the extent of the punishment by Government? Are you going to hang a union indefinitely? Surely, there must be some method and sense of proportion even in victimisation or in giving out punishment.

Then there is the question of cases of victimisation of employees. Repeatedly the hon. Minister, particularly the hon. Railway Minister, gave us to understand that only those people in whose cases there is violence involved will be dealt with severely and all others will be excused. I have sent to the Home Ministry cases where people have been dismissed for nothing else except that they participated in the strike. I am prepared to send those cases again to him. I want to know whether there is any sanctity or meaning in Government's assurances given to this House. Why is this not being done? I want the hon. Minister to give a categorical assurance that he will issue orders to the administrative heads that wherever instances occur where only by reason of participation in the strike any action has been taken against any employee, such action will be countermanded and the employees will be released.

The upshot of all this is that industrial relations between the Government and the employees have to be based on certain just principles. One such just principle is arbitration. Arbitration precludes the big stick, namely, issue of Ordinances, banning of strikes and things like that. I therefore desire the Government to make the position clear as to what its principles and policies are in connection with industrial disputes between Government and the employees in all these different classes. I appeal to the Government to remember one thing, namely, that in strikes in industrial disputes and in political strike even, there is no such thing as a permanent victory or a permanent defeat. Let the Government bear that in mind.

**Mr Chairman:** Motion moved

"That this House takes note of the Summary of proceedings of the Eighteenth Session of the Indian Labour Conference held at New Delhi, on the 24th and 25th September, 1960, laid on the Table of the House on the 21st December, 1960."

Both these motions are now before the House.

May I know how much time the hon. Minister wishes to take?

**Shri Nanda:** We are sitting till six o'clock, isn't it?

**Mr. Chairman:** Two hours have been allotted for this discussion.

**Shri Nanda:** If they want to take much more time, I shall be content with less, that is, 15 to 20 minutes, but not more than half an hour.

**Mr. Chairman:** May I know as to how many hon. Members wish to speak?

**Some Hon. Members** *rose*—

**Shri Narayanankutty Menon:** I have a suggestion to make. The hon. Minister may start at 5.45 and he may take five or six minutes more after six o'clock. The House may sit for that period.

**Shri Naushir Bharucha:** He may be called at 5.35.

**Shri Nanda:** I may be called at 5·30.

**Mr. Chairman:** Then there will be ten minutes for each hon. Member.

**Dr. Melkote** (Raichur): I have with patience very carefully heard all the arguments advanced both by Shri S. M. Banerjee and by Shri Naushir Bharucha. I must say that strong words, as we all know, do not break bones.

**Shri Naushir Bharucha:** Neither strong legislation.

**Dr. Melkote:** One thing that is necessary in this world is—and that has been the experience of everybody. It is either brute strength or reason that succeeds. And Shri Naushir Bharucha, with his legal talent, tried to argue it out in as reasonable a manner as he could. This House has to bear in mind certain things that have sentiments of the nature of the context of the facts placed before it by Shri S. M. Banerjee. He has used strong words and charged the Congress with duplicity and said that whilst idealism is spoken of . . .

**Shri S. M. Banerjee:** I never said 'duplicity'.

**Dr. Melkote:** Congress has always said that it does not toe along with people who are communally minded, and he has quoted the instances where it has tried to work with people who have sentiments of the nature of the Muslim League. What he said tantamounts, in my opinion, to duplicity. That is why I used that word. It may be that the Congress has sometimes made mistakes; but we have always admitted them and we are trying to correct ourselves. To that extent everybody would admit that Congress is bold and honest. But does not the nation and the country know that right from its inception, the party to which the hon. Member, Shri S. M. Banerjee, belongs . . .

**Shri S. M. Banerjee:** I belong to no party. I am not a Member of the

Communist Party. That allegation should be withdrawn.

**Dr. Melkote:** That, again, is a means by which he does not desire actually to show to which party he belongs and the country knows what are his sentiments in this connection.

**Shri S. M. Banerjee:** I do not belong to any party. In this matter I follow the policy of neutrality of the Prime Minister.

**Dr. Melkote:** In any case people know what his ideas are. And people of his type have always pleaded one thing before the country and acted otherwise.

Take, for instance, the movement of 1942 itself. How did the Communist Party behave at that time? In 1947 again and again during their regime in Kerala, for winning the electorate while they call their party leftist and progressive, they toed the line and aligned themselves with communal patries. Never have they disowned it. These facts are available to the whole country.

Whilst it may be a fact that we in the Congress have committed mistakes, we have tried to rectify ourselves and we do want to go on the straight path.

**Shri Rajendra Singh** (Chapra): How is all this relevant to the issue?

**Dr. Melkote:** Why do people intervene, I cannot understand. It is in the context of this I want to say that the general strike that was called last year was most unfortunate, from our point of view. It must be clearly said that our leaders and every one of us made an attempt to tell all those people who wanted to issue the strike notice that it was not correct, that it was dangerous, that it would harm the labour movement. But they gloated over the fact. They felt they had the strength and they felt they would succeed. It is this that made them go ahead with the strike irrespective of the fact and reason whether they ought to have gone on the strike or not. People have been talking here as if this general strike was an absolute necessity and it was done for honest purposes. But may I say that it was in this House that these very Members agreed to the setting up of a Pay Commission? And when they did agree, they could have pointed out then that the composition of the commission should be such that they could have confidence in them. Once they have accepted the setting up of the Pay Commisson and its membership, then, the report of the Pay Commission becomes something like an award. We have always said it here, and our party has said it that an award should be taken as an award. But these people, having agreed to the setting up of the pay commission—it was a fact that their report did not satisfy everybody—and they were up against the conclusion that the Pay Commission arrived at. We were also wanting to discuss the issue so that the workers got a better deal, but then to make that an issue and to forget that here in this very House, we had accepted the setting up of the Pay Commission; and to go back against that and to issue a strike notice was not a correct thing. To say that they accept democracy would mean....

**Shri S. M. Banerjee:** Then, change the report.

**Dr. Melkote:**..... that certain issues have got to be taken for granted. If one does not feel satisfied with the award of the Pay Commission or anything of that sort, then there are democratic methods by which one could have again reopened the issues and tried to obtain what one wanted. But, my hon. friends, on the one side, want this issue to be raised, and on the other, they also want the powers to issue a strike notice. The strike notice was not against the Pay Commission, but it was against Government, and Government which was one of the parties to the dispute; Government was not the party that came to

[Dr. Melkote]

decisions in the Pay Commission. That aspect of the question has got to be very clearly borne in mind, namely that the decision was that of the Pay Commission. Government as an employer referred the whole case to the Pay Commission, and the report of the Pay Commission had therefore to be accepted willy-nilly.

Therefore, if, today, my hon. friends say that Government as an employer had no right to ban the strike, it would mean that Government would have given up its sovereign rights to protect the interests of the nation. If there are two opposing parties in a court, both of them cannot and will not get satisfied with the ruling of the judge. The one party or the other will be aggrieved; for the aggrieved party to say that the judge has not given a correct judgement is absolutely wrong. It is in that light that this whole affair has got to be viewed.

They are trying to place before the public the idea as if they have been on the right, and Government is entirely in the wrong, that the strike was justified and so on. Today, after the strike has taken place, six hundred odd people, due to the error that these people committed in leading them on to the strike, are in misery. Let this fact also not be forgotten. Today, these very Members are pleading for the cause of these six hundred odd Government servants., as if Government was in the wrong, and they were in the right and this strike was justified.

We would say that the strike was unjustified. Government has got the right to punish. Government has also, in such matters, to take a very lenient attitude, review the cases, see that these do not repeat and adopt measures which will prevent such strikes from taking place. I entirely agree with Shri Naushir Bharucha when he says that he agrees with the Labour Minister for having said that Government would adopt measures which would eliminate these strikes from taking place. That is all to the good of the country, particularly, when we are having our Plans for the improvement of the standards of living.

It is in this context of things when we are planning for improving the standard of living and large-scale strikes of this nature is not merely wrong but is unjust to the whole nation. It has got to be viewed from that aspect and not merely from the aspect of a handful of Government servants, may be, a lakh or two or three lakhs; it has got to be viewed from the point of view of the nation as a whole, and in the context of the affair that we are facing across the border. It is these very people who have been expressing themselves, not against the outsiders who are trying to occupy parts of our country, but who have egged our people on to the strike to derive some advantage for themselves and our enemies.

It is in this context that things like strikes have got to be looked into and action taken by Government immediately.

**Shri S. M. Banerjee:** All this is absolutely wrong. Why should he make such statements?

**Dr. Melkote:** We feel that Government should see to it that they give satisfaction to the workers, be they in Government, be they in the public industrial sector, or be they any where else. Government should examine things in a lenient manner and view the plight of the strikers more sympathetically. In view of the statement already made, action should be taken only against those workers who indulged in violence. As regards others, I feel that if Government have not reviewed those cases, they should do so quickly and do full justice.

**Pandit K. C. Sharma** (Hapur): I have been listening to the debate very

attentively. I find there is one misunderstanding. There is a difference between employment in Government and employment in an industrial undertaking. The industrial undertaking employs workers for making profit. The Government employs workers for carrying on the Government. And Government means Government for the welfare of the people, including the welfare of workers and their progeny.

One of the criteria of a worker's fitness to be employed is merit. Fitness comprises integrity, character and loyalty. What is loyalty? Loyalty to his chief. The chief's loyalty is to the Minister. It is not as a matter of pride to the Minister or his chief, but for carrying out the government which stands for the well-being of the people, including the worker's progeny.

Therefore, the analogy of industrial enterprises does not apply in the case of employees of Government. The tendency of the industrial empoyer is to get the best out of the worker. It is not to produce a better wroker but to make him put in better labour for his profit and for the good of the worker himself. The Government's attitude is what is called, that of investment in the human material. Every Government, much more a welfare Government, will do its best to give the best to the worker not for charity's sake, but with a view to see that he contributes his best in the maintenance and continuance of the welfare State. Therefore, the analogy of the worker in an industrial enterprise does not hold good in the case of government employees.

There is another aspect. Ours is a democratic form of Government. In a democracy, in the ultimate analysis, the Judge and the law prevail, not the administration as such. Every remedy is open to the man who feels wronged. He can go either to the law courts or to what is called the administrative tribunal. The modern experience is that administrative law is a better remedy for speedy adjudication for the man who feels aggrieved. Therefore, whether it is an industrial tribunal or a Pay Commission or a court of law, any aggrieved person can go to any of the forums where his grievance or complaint may be entertained. But in no case has an employee of government in a democracy the right to refuse to do the job he is employed to do. It is a simple question of contract. Once you accept a democratic form of government, you accept the rule of law. Once you accept the rule of law, the implication is that you cannot refuse to do the work assigned to you by Government. One of the very necessary obligations of a citizen is obedience to law. What is obedience to law? You make a contract that you would be loyal to your chief and through your chief to the Minister and through the Minister to the policy of Government and through the policy of Government to the condition precedent for a Welfare State. Now, at the eleventh hour, if you say your wages are not increased and so you refuse to work, then, it is an untenable position. It is not possible.

There are two kinds of treason. One is to rebel against the law of the country and get oneself hanged. Another is to refuse to work and defeat the very end of Government. The sin of omission is no better than the sin of commission and no Government can tolerate it.

You have to judge the situation when the strike was instigated. What was the situation? There were three dangers to Indian security. One was through the border State. The other was through the incitement of what are called the Scheduled Castes. And, my information is that our Communist friends went to every corner of the country to incite the Scheduled Castes against the Government and against society. They said in the streets, in the villages, 'In your mother India you cannot get land, you cannot get living wages; so you must rise and revolt.'. They failed. Why did they fail?

[Pandit K. C. Sharma]

Because of one of the wisest leaders of the Scheduled Castes, Shri Jagjivan Ram—one of the wisest leaders and sincere workers.

**Shri Narayanankutty Menon:** Then vote for him.

**Pandit K. C. Sharma:** I do not think you are more kind to the working classes than Shri Jagjivan Ram.

**Shri Narayanankutty Menon:** Sir, is election propaganda allowed here?

**Pandit K. C. Sharma:** What it is or what it is not, it does affect.

Then they went to the most venerable part, the Government employees. When the whole picture was brought before them and they knew that these people were not solicitous of their welfare but it was something extraneous, then the strike failed. Then they weep because they have been exposed. This is the secret.

Therefore, I beg to submit that all possible opportunities should be given and all possible remedies should be available for the redress of grievances of any sort of all employees including the Government employees. I believe in what Pigou call the investment in human material. In an ever-developing economy, ultimately, it is the muscles and intelligence of the men on the field or in the factories that is responsible for a new economy.

**Shri Narayanankutty Menon:** Mr. Chairman, Sir, even though a large number of important items have been discussed both in the 17th and 18th Labour Conferences and all those discussions and decisions are the subject-matter of discussion now, unfortunately, because of the limitations of time, only certain more important aspects could be high-lighted in this defeat.

**An Hon. Member:** Defeat?

**17 hrs.**

**Shri Narayanankutty Menon:** Debate. It was not intentional anyway. My hon. friends who have initiated the debate have set the ball in motion and particular aspects of the decisions have been the subject-matter of discussion. The Central Government employees' strike—the pre-strike situation and the post-strike situation —had been the subject-matter of discussion of the 18th Labour Conference. At this stage, I do not propose to go into the merits or demerits of the strike because this House had an opportunity of discussing the strike situation more than once. But when in his angel like voice Dr. Melkote appeared on the scene to point out that the report of the Pay Commission was a judicial decision and both parties were bound by it, I was surprised because I doubt whether he knew the fundamentals of law or not. Everyone knows that the report of the Pay Commission was not at all judicial decision and even the Government had no case in the beginning that the decision was binding upon the Government. In a quite recent award, in an appeal before the Supreme Court, it is said that the Pay Commission had its own limitations because of the terms of reference and because also, the Finance Ministry which was a party to the decision of the 15th Indian Labour Conference about the norms of the minimum wage, wrote to the Pay Commission that the decision was not binding upon them. So, the Pay Commission had to go back upon the norms prescribed by the 15th Indian Labour Conference. The Supreme Court said that the minimum wage prescribed by the Pay Commission was not at all the minimum wage in the context of the present society. The Judge even said that a wage of Rs. 376 per month could not be taken for granted to be bordering on the fringes of a fair wage in this country. That is the judicial decision and my friend who read the reports regarding industrial disputes will know the limitations of the Pay Commission because of the terms of reference, because of the way in which another wing of the Ministry gave evidence before the Commission. Therefore, let him not come here and say that the Commission had an unlimited

opportunity of judicially deciding this point. It was circumscribed by the terms of reference and secondly, because of the betrayal of the Finance Ministry of the decisions of the 15th Indian Labour Conference.

Dr. Melkote says that the strike was a failure. He must be laughing within his sleeves because I do not think the Labour Minister, sitting opposite would say today that the strike was a failure and it had to be taken as an industrial dispute. My hon. friends talk about the political implications. The hon. Labour Minister told the 18th Labour Conference categorically that he would not accept the suggestion from any quarters that the srikes had any political motive. When he says that categorically, his own partymen for propaganda purposes come and say that the strike had political motives: the border question was there and so on. These questions have no relevancy because the hon. Labour Minister did not accept that suggestion, even though if the strike had been a success, according to a certain theory, it would have had political implications. That past history is gone. When it is said that there was no necessity for a strike at that time, a counter-question is asked: is Government justified in coming with the ordinance? Under the Industrial Disputes Act the hon. Labour Minister had the power to ban a strike and the strike would be illegal and the strikers could be punished as harshly as under the Ordinance. What is the sum total of the Ordinance? The sum totality of the powers of the Government under the Act and the Ordinance is this: they take the employees out of the purview of the Industrial Disputes Act —that shows the refusal of the Government to refer the whole dispute to an impartial adjudicator under section 10(c). Therefore, the motive of the Ordinance was not to settle the dispute by arbitration or adjudication. It was the refusal of the Government to observe a law passed by this House to settle the industrial disputes and to place the Government on a higher pedestal just like an old king. My hon. friend talked about judicial decisions while analysing the Pay Commission's report. I was reminded of a generous king of England in times immemorial in the uncertain dawns of history. He decided to appoint a Judge to arbitrate between him and his subjects on some disputes. When the court started and the judge began to speak about justice, the king found that he was speaking in his own terms. Therefore the judge was dismissed and the king stepped in the place of the judge and began to talk. Here, the same thing happened. The Industrial Disputes Act is there. The employing Ministries like the Ministry of Transport and Communications, the Railways, etc., may say that there is no industrial dispute. Under the Industrial Disputes Act, the Labour Minister is supposed to be the custodian of the rights and liberties of labour and he should have acted as an arbitrator. But, when he came, when the whole political question was posed by the Government against the employees, Dr. Melkote who was just waiting for an opportunity and others like him crept into the Central Government Employees' oganisation. They could not ever have imagined such a thing before the strike situation. The whole situation turned to be a political one, and my hon. friend the Labour Minister abdicated his solemn responsibility that lay on his shoulders to have an arbitrating machinery and have an impartial decision over the situation.

After the strike, my hon. friend said that he always holds the view that as far as organised industrial labour is concerned there should be a negotiating machinery, that there should be a machinery whereby the grievances of the employees could be settled. The strike was over in July, 1960. This month is May, 1961, and the Labour Minister said that he is thinking of setting up a machinery for negotiation.

[Shri Narayanankutty Menon]

At the consultative committee, he assured us that in the interim period, the Labour Ministry will look into each case of alleged victimisation and all the grievances of the employees. But ultimately, we find a hide and seek game in Parliament. When there was the question of the representatives of the P. & T. Federation, you heard in the House sometime back what was said: there was a hide and seek game, a sort of shyness as that of a damsel who is taken to the bridal chamber. They did not like to call to account the P. & T.....

**The Minister of Transport and Communications (Dr. P. Subbarayan):** Now that he has referred to the Posts and Telegraphs Federation, I might say that the hon. Member forgets that we have been as lenient as we could when considering that the strike was illegal. As usual, my hon. friend is on his propaganda campaign.

**Shri Narayanankutty Menon:** He has taken one minute of my time; I will take it afterwards. I am not replying to him because there is no time. My point is, why should there be so much of shyness on the part of the Government to admit that they themselves will establish a machinery; if it is not the old machinery, let it be a new machinery. It is quite obvious; when the Labour Ministry has prepared the plans, the other Ministries come in the way. The employing Ministries like Transport and Communications, etc., when they met in Vigyan Bhavan in July, 1957, agreed to the norm laid down by the Conference; they unanimously agreed. The Labour Minister gave an epilogue saying that the Government of India, the employers and the employees would see that for the success of the Second Five Year Plan, they would work in a harmonius way. When they were approached by the Pay Commission, the Labour Ministry had no hesitation in saying that it was just an ordinary decision and that it was not binding upon them. So, he has betrayed the edifice of industrial relationships all over the country which has been built up with the co-operation of the Labour Ministry.

**Shri Nanda:** Which particular decision?

**Shri Narayanankutty Menon:** The decision taken at the 15th Indian Labour Conference laying down the norms for a minimum wage. It has been written up in the letter by the Secretary, Finance Ministry, and the Central Pay Commission, and it has been referred to laboriously in the reports. It is said that because the Finance Ministry has written to them it is not binding on them, and it has been elaborately quoted by Justice Gajendragadkar in his recent judgement in the Standard Vacuum Oil Company case in which the Finance Minister's letter is quoted. If one of edifice of the industrial relations in the Labour Conference to a decision and the Labour Minister always preaches and emphasises that it is the edifice of the industrial relations in this country—is accused of breaking this decision, do they expect the workers' organisation to respect these decisions as much as possible? It is impossible. Therefore, at least, there should be an admission on the part of the Labour Ministry that it is not possible for the Ministry to get together their own friends inside the Government in matters such as the code of discipline and other decisions taken at the Labour Conference. Until the Labour Minister teaches and succeeds in teaching the alpha and the omega of industrial relations to his own employees and the other employing Ministries of Government, there shall not be an industrial peace in this country. Whatever the Labour Minister might speak today, he will have to teach them. And then only they can understand and behave themselves.

The whole question today is this: recognition has been withdrawn. I do not want to go into the merits and demerits of the withdrawal of the recognition. But what is the situation?

2½ million employees in a vast subcontinent on the one side and the employing Ministries on the other side are there. Does anybody expect that in the 20th century there are no grievances, that there is no mechanism by which these grievances could be ventilated and settled by a machinery?

I ask the hon. Minister, after the assurance has been given that each and every case of dismissal and disciplinary action will be looked into by the Labour Ministry after the strike is over, whether he can say to this House that a single case has been looked into by the Labour Minister to see whether there is victimisation or not.

The Labour Minister says there was no victimisation. I put one instance before him and I hope he will understand. The Secretary of the Naval Establishment Union in Cochin went on strike. He was not accused of any sabotage at all; he was given a charge sheet and he denied the charge. He was warned, the punishment was given and the file was closed. For 11 years he was a temporary employee. After 22 days, the order comes saying "your services are no longer required". Because the terms of contract of service say that your services are terminable within one month's notice, there is absolutely no victimisation! That is what the Labour Minister says. The Defence Minister says there is no victimisation; the Labour Minister says there is no victimisation, on the face of it. But in the absence of a negotiating machinery, is the Labour Minister prepared to look into the questions brought to his notice?

After the strike till today, his own department, right down to the conciliation officers in each State working under him, has not gone into the question of a single employee whose complaint has been taken to the department. That is the position today.

In conclusion, I may tell the hon. Minister that all that he has spoken both as introduction to the 18th Labour Conference and also as epilogue to the conference, all the sermons he has given in that conference, are yet to be implemented by him. Every day that passes with the non-implementation of the decisions of the Labour Conference, there is more and more inherent danger in the situation, because where there is a safety valve for something, the safety valve should be allowed to function. You cannot stop steam by closing the safety valve, because the entire mechanism will burst. At least on this occasion, when so many months have passed and different contradictory answers are given by each employing Ministry and the Labour Ministry regarding the Bill that is going to come regarding the establishment of normal relations with the employees' organisations and also regarding the Whitley Councils, I request the hon. Minister to give a categorical answer as to what is the situation today and when he is going to come before the House with that Bill, so that normal relations could be established.

**Shri Nath Pai** (Rajapur): Mr. Chairman, Sir, after the debate we had last August immediately after the strike, one would have strongly felt that there was no necessity to justify what the Government of India employees did nor would we have persuaded overselves that remarks of the kind which are attributed to the Labour Minister would be uttered on the side of the Government. It pains us considerably, therefore, to see that this bogey that the strike was intended and meant as a political weapon is again and again resurrected:

> "Referring to the observations made during the discussions regarding the character of the strike, he did not think that from the very start it was political. It had been stated that there was no intention on the part of strike leaders to make it a political strike. But then the matter could not be judged merely by intentions but also by the consequences that followed. He might

[Shri Nath Pai]

agree that the strike leaders had not intended to make it a political strike. But it was patently clear that if the strike had succeeded, It would have led to the collapse of authority and administration, thus paralysing the national economy and the normal life of the community."

I am extremely surprised to see that the Labour Minister thinks it fit to make this kind of assessment after a full *post mortem* was held in this House and the whole country and I think this House got the impression that the strike was basically a trade union dispute.

In the end, if the strike had become inevitable and necessary, it was because of the particular policy pursued by the Government. At that time, I think, citing the best evidence possible, we had made it clear and succeeded in convincing this House that the strike basically from the beginning to the end was and remained a trade union dispute. But the Government, seeing that it was on the wrong side and that it had denied justice to a trade union demand, took shelter by raising this false bogey that it was a political strike.

How did it try to deal with it? There were three points which at that time I wanted to make and which I could not make then. Now I am glad we are getting an apportunity. Not a single analyst has come forth to say as to how such a strike could have led to the collapse of the power of the Government of India. I am very pained to say that it displays, it shows a lamentable knowledge of the working of the federal constitution. The whole case is based on this, that had the strike succeeded the Union authority would have collapsed, it would have led to the paralysis of the authority of the Government of India and looking at these possible consequences it was said that the strike was a political weapon, though perhaps we were not wise enough to portend, we were not such small children as not to know the consequences of what we were doing. I am glad to claim that we knew the consequences of what we were doing, and the consequences were not what you say would have followed had the strike succeeded.

I will be pointing out one or two things in this context. Let us remember that the strike was limited to and confined to the employees of the Union Government. Is there one government in this country or 16 different Governments? The employees of the Union Government alone were to register this protest. The strike was not a political weapon, it was the registering of a protest, it was an appeal to the conscience of the nation. And who were to raise it? Only the employees of the Union Government. The State Government employees were not concerned in this.

How does collapse of government come about? You had the Army and you had the Police with you. Did we call on the Police, as in Britain they had tried to do in 1926? Did we call on the Army to join the strike? How is this maintained? Do the two million clerks of class III and class IV alone constitute the guarantee and continuity of the authority of the Union Government? I do not know what kind of constitutional expert eye is brought to bear when they say that a successful stoppage of work in these offices would have resulted in the collapse of the authority. There was the police. There was the army. There were the 16 State Governments which were functioning. How does Government of India collapse when these pillars continue functioning?

Second thing, Sir, assuming that the transport and communications had completely been stopped for the time being, what happens?

**17.17 hrs.**

[DR. SUSHILA NAYAR *in the Chair*]

I would like—if the hon. Minister for Transport and Communications would

not try to divert his attention—ask the Labour Minister this pertinent question. How does he prove that the authority of Government collapsed? On what does the authority of Government depend? Apart from answering this charge I am making, this is the second important point. The authority of a modern State does not depend upon the means of communications being always smoothly functioning; that is one of requisites. The authority depends upon the enforcibility of the writ, and the enforcibility of the writ does not depend upon anything except the willingness of the people to accept it. Had we challenged it? Had we shown any kind of disloyalty? Had we challenged the authority of the Government as the authority of this country? No, Sir, we had held it as the authority. We made it abundantly clear that we accept the Government as our Government.

May I quote a simile? Supposing the transport and communications would have come to a stop, what would have happened? There were no telegraphs, no telephones and no railways in the last century—I am not merely saying it, it is absolutely correct in the last century there were no telephones, no telegraphs, no railways, but empires continued. In the Roman Empire—it is a very serious matter I want to emphasise, this was ignored by the House, by the Ministers and, unfortunately, by the Press—the writ continued. There were no telephones, no telegraphs, no railways; but from Rome to Lebanon the writ was enforcible because the people accepted, because the enforcibility was depended upon the willingness of the people. Was this willingness ever challenged by us? But you tried to denigrate this strike, to malign this strike, to attribute motives to us in spite of the fact that you have not been able to produce an iota of evidence to substantiate this challenge. We again and again challenge in this House to prove one single case of violence. Have they showed? There is not one single employee who has been convicted of sabotage or violence. Finally, may I draw your attention to this very important thing, that any genuine democrat should be happy that this strike took place, because it has demonstrated something which, perhaps, shows the continuity of democracy in this country. What is it? That is the strike? Between whom? On the one hand the Almighty the Government of India, those men after whom the age will be named, and on the other hand; who were ranged against them? The class 3 and class 4 employees. This army on the one hand, of the half-naked and half-starved employees of India and; in the other hand; the might and glory of the Government of India and its leadership. This was the thing. And what is the great thing about this unequal fight? It is a great thing for the country that it has guaranteed the freedom of the country so that a small man, when he thinks that he is being given a raw deal, shall not be intimidated by the show of force but will stand firmly by his right. India demonstrated it; the little class 3 and class 4 employees demonstrated it. Therefore it shows that basically there are enough people to fight for the liberty and freedom of this country. And you succeded in beating the strike, not because it had no support; you succeeded in crushing the strike because you wound up the guarantees, you suspended the guarantees of our Constitution; and the Constitution of India did not function during the strike period. Therefore, a strike, which is basically a democratic weapon; can function if democracy is allowed to function; if you suspend democracy; strike; which is a democratic weapon, cannot succeed. You have first to defeat our democracy, suspend our democracy, put it into cold storage and then only you could defeat the strike, and that is precisely what this Government did. This will be the verdict of history, this is what the students will tell you of history, and this is what you did.

If you had not armed yourself with arbitrary powers, if you had not armed yourself with those powers which

[Shri Nath Pai]

do not go with the spirit of our Constitution, I very much doubt if you would have succeeded in crushing the strike. And, none the less, the glory of the strike remains. For this little right, for his little piece of bread, the average common man in India was ready to fight and he was not deterred by the spectacle that there was an immediate threat of being thrown out of his employment.

We know what was done in Bihar when the strike took place. We knew it but we did not want to tell this at that time—now the time has come to mention these things—because the wounds were raw and we did not want to add new things to that. Railwaymen were tied by strings, chained and paraded through the whole railway colony, beaten up and told "this is what we will do to everbody who joins the strike". What happened at Jullundur station? The employees and their leaders have been accused of not showing regard for democracy. Was this the demonstration of your loyalty to our Constitution and its democracy that goondas were brought by the dozen, railway employees were assaulted physically in the station, taken to the jails, striped naked and beaten again in the jails? What happened? This was how the Government behaved and, in spite of all this provocation, in spite of all those threats, the employees remained peaceful, hoping; having failed today, tomorrow or the day after this House and this country will do justice upto them. I never thought that it would be necessary to prove this fact, but it has become imperative that we mention this fact so that once and for all this lie that the strike had a political intonation when the strike was made, later on though not *ab initio*, to have political consequencies is nailed down and a fair deal is given to them.

May I, in conclusion, make one last minute appeal? It is nearly ten months since the strike came to an end. How has the Government carried out its pledges, its promises to the people? You could have dealt with us as you like. But why victimise the poor employees? More than six hundred employees have been thrown out of employment. Not one of them has been accused, not one of them has been convicted of sabotage and violence. Day in and day out we come and we appeal; we write letters and the reply comes again and again "the matter is under consideration." In the meanwhile, he and his family continue to starve and suffer. Why? You say there is no victimisation. Shri Morarji Desai, the Finance Minister, said the other day that "we are trying to have some discipline; no victimisation." This talk of discipline does not lie well in the mouth of those who are making such a cruel, such an ugly, spectacle of discipline, as the whole nation is witnessing, by victimisng the Government employees. So, we wish to appeal to the Government; at least at this late stage, stop this kind of victimisation under the grand eloquent term "discipline". We can teach the employee to be disciplined by the leadership showing greater discipline itself, and of that we are yet to show any proof.

Finally, I come to the question of recognition. This is choking, this is throttling, this is the cruellest thing in a democracy, to deny the right of defending themselves, of ventilating their grievances.

My final plea will be to the hon. Labour Minister. We have said the best things when we can say them and nothing deterred us. But when the right thing has to be said we shall also say it to you. We pleaded that the Labour Ministry of the Government of India must be allowed to have the last say in matters pertaining to labour. He is not allowed the say. Gradually this state of affairs is changing. We would like this to change. We would like that victimisation is stoppend, all employees who

have lost their jobs are reinstated and recognition is not withheld so long under the pretext that they went on an illegal strike. If law is to be applied so rigidly, how many of us can retain our own seats in this House? Not many can. I, therefore, make this final plea to him. I had such a short time, but I thank you very much for your courtesy. May I plead that let us turn a new leaf and see that even at this late stage a fair deal is meted out to the employees?

**Shri D. C. Sharma:** Madam Chairman, if there was any doubt in my mind about the strike being political, it has been removed entirely by the speech which the hon. Member who preceded me made just now.

**An Hon. Member:** It is very poor understanding.

**Shri D. C. Sharma:** I think no more eloquent plea could have been given for establishing the political nature of this strike than the three fundamental principles which the hon. Member has just now enunciated on the floor of the House. I am surprised to hear that a gentleman should be talking about the Roman Empire in the 20th century and comparing our Union Government with the Roman Empire.

**Shri Nath Pai:** I now see that my speech has been wasted.

**Shri D. C. Sharma:** I think that history is a very poor victim of some of the ignorant practitioners of history and nowwhere history has been more denounced and maligned than today on the floor of this House by the hon. Member who preceded me.

**Shri Nath Pai:** History has come to your rescue.

**Shri Narayanankutty Menon:** But not poorer than those who teach history.

**Mr. Chairman** There is very little time. Let the hon. speaker proceed.

**Shri D. C. Sharma:** I will submit very respectfully that to think that paralysis of transport and communications does not mean the paralysis of Government is the height of wisdom. I believe that transport and communications in the modern world are the nerve centres of administration and of the life of a nation and if a person thinks that by paralysing them he is doing nothing, he is living in a world of which I konw nothing but he knows much.

Instead of talking about the Indian Labour Conference and the constructive work that it has been doing, instead of talking about the climate of industrial peace that it has been trying to build up and the grievances of the workers which it has been trying to remove, we have been thinking of the strike, of the de-recognition of unions and victimisation.

There are two types of minds in this world. There is a mind which is past dominated and a mind which is present dominated and future dominated.

**An Hon. Member** That is the third.

**Shri D. C. Sharma:** I am afraid these labour leaders, for whom I have a great deal of respect and affection—I tell you honestly that I have a great deal of affection for Shri Nath Pai and Shri S. M. Bannerjee; I cannot deny myself that right, but I can assure you that these gentlemen are rubbing up old sores—they are rubbing up those sores unnecessarily.

**Shri Nath Pai:** Did he read this report ?

**Shri D. C. Sharma:** I read reports, but I would like to read more your minds than the report.

**Shri Prabhat Kar:** You are a thought reader.

**Shri D. C. Sharma:** I tell you that it is much better to read the minds of people and the motivation of the people than to read these reports.

**Shri S. M. Banerjee:** You are an astrologer.

**Shri D. C. Sharma:** When I compare the minds of these gentlemen, I see that they are trying to do something which, I think, is not warranted by the situation. Of course, I would be the last person not to say to the hon. Labour Minister that if there are any cases of victimisation he should look into them. I would be the last person not to say to the hon. Labour Minister that if any union has been derecognised unnecessarily, he should look into it. I would be the last person not to say this, but I would say that you should not always be looking at this side of the picture. If you do so, you are trying to destroy the climate of industrial peace that is being built up in this country.

I view both these reports, of the Seventeenth and the Eighteenth Sessions, in the light of the great experiment of the Third Five Year Plan that we are launching upon. I cannot understand one thing: when these gentlemen come to the House they start nagging the poor Labour Minister....

**Shri Nath Pai:** Nagging? Is that my hon. friend's impression?

**Shri D. C. Sharma:** ..but in the Indian Labour Conference — I read the reports, and I read the press reports — every one of them is full of praise for him. I cannot understand why there is this double talk here. Everybody says there, in the Labour Conference, that he is the ablest Labour Minister that we have ever had. But here they come and say, "You have not done this, you have not done that." I cannot understand this.

I would request the labour leaders, great labour leaders — God bless us when we have got such great labour leaders — I would ask them to view the whole thing in the context of our developing economy. I would say to the Labour Minister also that there are certain things which have taken rather long in being settled and he should expedite them. I think there is no use in keeping these things hanging in the air for such a long time.

The Labour Conference has done some good things. Take, for instance, the wage boards. I think in that matter our country is ahead of so many others. Our Labour Minister has set up wage boards and also the Bonus Commission. Are they of no account? They are. I feel the Labour Minister will be advised if he tries to give labour a charter of labour welfare in the Third Plan. I set more store by this labour welfare than by all the talk of my hon. friends here, like "this particular thing has not been done", "what happened at Jullundur?", "what happened here?" and so no. What have my hon. friends been doing here? They wanted to paralyse the Government. Government was not paralysed. I believe that shows not only the soundness of the Central Government employees but also the soundness of the relationship that exists beween the Central Government and its employees.

I think my friend Shri Nath Pai did his very best, and I am sorry to say—and I cannot understand it—that the gentleman, after having failed, comes to this House to rationalise the failure. But all the same, I agree with him in this respect that the Labour Minister should sometimes have a miniature Labour Conference, confined only to the Labour leaders of this House; and the Members of that miniature Labour Conference should be asked to ventilate their thoughts and grievances.

**Shri Nanda:** There is a committee.

**Shri D. C. Sharma:** That is the Informal Consultative Committee. What I say is that he should have a Labour Leaders' Conference from the labour leaders of this House—of course, I am not one of them, therefore he need not be afraid.

After looking through the reports I am fully convinced about the constructive role that these Labour Conferences are playing. I also feel that the constructive efforts outbalance the grievances and other things. I suggest that both sides of the matter should be looked into, and I believe that these Labour Conferences are doing a lot of good to the workers of this country. I also believe that as time rolls on, India will be a country which will show to other countries the model of industrial peace and the model of a good industrial climate.

**Mr. Chairman:** There are now 28 minutes left. The hon. Minister will take about 20 minutes, and the two hon. Movers will take four minutes each for their reply.

**Shri Nanda:** I had asked for half an hour, under the impression that the task in replying would be confined to dealing with some practical issues arising out of the recommendations of the two conferences or two sessions of the Indian Labour Conference, and that could be managed within the space of half an hour. But the discussion has now travelled to a plane, which would force me or compel me, if I had the time, to again bring into discussion the origins of the strike, its merits, its character, and its consequences and so on. But there is no time for that. Yet, I cannot resist the urge to say something about what my hon. friend Shri Nath Pai had again brought into this forum at this stage, namely whether the strike was political or not. I had taken a line which did not go into the motives. I said that, as I saw the developments of the dispute in its origins, I could not identify a definite political intention. There was a certain unrest, and there was a certain discontent which had to express itself.

There were conferences, formulations of demands, and later on, certain notices of strikes. It may be that they were driven from one step to another under some impulse, under some compelling pressures. But I have in mind —and I hope my hon. friend has also not forgotten—the stage when we sat together and when we made every possible endeavour, subject to the limitations which they could not cross, and which I could not cross, to prevent a strike occurring. And I am sure in my mind, and I am talking from conviction, though I may not be able to create that conviction in the mind of the hon. Member opposite; the conviction is that after those discussions the strike became unnecessary. It was at that time a challenge to the leadership then to have that courage to retrace the steps and rescue and save the large number of workers who had faith in them, and save them from all the consequences and hardships that followed later on. It was that stage that I am referring to. I have got with me a document, on the basis of which I spoke to them at the end.

**17.38 hrs.**

[MR. DEPUTY-SPEAKER *in the Chair*]

I have been asked by Shri Naushir Bharucha and Shri S. M. Banerjee, 'You have been speaking about arbitration. Why were you not prepared to do something of that kind in a case where the Government employees were concerned? Sir, the Pay Commission had a certain status. It may be urged, and it was urged before, that we had undermined its status and its character and its award by Government itself making certain modifications. Governments also sometimes make mistakes. The question is whether at that stage, granting that it was a mistake, it was not rectified. Here is one of the clauses of the offer that was made. Rectification will be made in respect of matters where the recommendations of the Pay Commission have been altered to the disadvantage of the workers. That was one of the terms of the offer. As regards the future, the offer was that efforts could be made to give an assurance that the employees would not be deprived of a fair deal when the increase in dearness allowance became due in accordance with the basis of the Pay Commission's recommendations. It had been conveyed to them that if what

[Shri Nanda]

Government were prepared to do was not acceptable, the matter might be submitted for impartial settlement. For the future, arrangements would be made for joint consultation and negotiation between representatives of Government and the employees to deal with differences in respect of the implementation of the Pay Commission's recommendations. This machinery would be created at a departmental level, to begin with. Questions of a general character would also be considered. Similar arrangements would be made and suitable machinery composed of representatives from various departments would be set up for that purpose. When differences are not resolved by negotiation, they would be referred to some independent authority for impartial settlement.

Then the suggestion regarding a standing machinery to be set up for the future and the structure of labour unions of Government employees would be discussed at a conference in the course of the next six months.

This covered everything that was relevant to the occasion and to the future.

**Shri Nath Pai:** But a very important point, namely, linking up the dearness allowance with the cost of living index which we wanted to be accepted and which Government did not accept, was left out.

**Shri Nanda:** That was a demand which went beyond the structure and terms of reference of the Pay Commission. We had taken a stand. No Government could do anything otherwise after having set up such a high-level Commission. Any of the hon. Members here can consider that. After Government having constituted the Commission consisting of so many eminent people and they having spent so much time in making their recommendations, if we could act that way, where would be the end—if this side or that side started tampering with them?

That was the position. I am not harsh in my judgment; I am not here to judge; I only express my feeling. I think it was failure of leadership at that juncture, and the working class suffered. It might have been otherwise.

When another occasion came, when the Ordinance was promulgated, there was time to re-think and re-examine the whole thing. The Constitution is being invoked by the Hon. Member. Now, here was a law. May be they could ask: why did the Government do that? But here it was. There could be other ways of ventilating our sense of grievance about things. But here was a law and that was challenged, violated and transgressed.

We are asked: 'how do you say that although it was not political in the end it would have political consequences? And why did you take it to be such a serious matter? I have great respect for the intelligence of the hon. Member opposite and other hon. friends. They say they are not children. They are not children. But are we children? Does one not know what would happen in that situation, when the working of Defence, Railways, Posts and Telegraphs and other departments all combined—the work of Government—comes to a standstill? They say, 'You will have the telephones'. But the telephones are not working. The aeroplanes are to be grounded; the aid services are not to function. Take the military. How is the military to function? That means that you provoke the Government to use such measures as would be of an extreme character. What will be the situation in a country when that happens? We were told that it was only a strike of the Government employees. Was it? There was a definite intention—let me drop the word intention—there was a fact—I remember correctly—of creating a general token strike in the whole

country. I have been long enough in the labour movement not to fail to appreciate the significance and the implication of that. Even if my hon. friend had no intention of making general token strike into a big general strike, things would never have been left in his hands. The moment a token strike of that magnitude had succeeded in the country, he would not have been there to deal with the situation. I know he is a patriot enough to see that the country does not go into confusion and disorder in these times when we had also threats from outside; but he would not have been there to deal with the situation.

**Shri Nath Pai:** You put me in prison.

**Shri Nanda:** Possibly, it was safer for you that you were there and not outside when the people suffered.

I do not like to go into history again where the analogy has hardly any relevance. But, here we know what is means and would have meant. I think he should be glad that they were extricated from the situation because if we would have suffered they would have suffered also. Therefore, we saved the situation by such action as we took.

Later on, after the strike, there was consideration to be shown, that there should not be any vindictive treatment, no excessive harshness. And, that was the assurance given. I have just been told by my colleague who is looking after the Posts and Telegraphs that out of 17,700 cases, there are 6 remaining there; and they are being considered.

**Shri S. M. Banerjee:** Sixty-two.

**Shri Nanda:** I was told 6, and they are being considered. I am talking of what are the things to be done. I shall come to that a little later because there is not much time. But, what is to be the future? There are two or three things about it. What is the machinery that is going to be set up for regulating the relations between the government employees and the administration? (*Interruption*). An assurance was then given and a scheme has been worked out. I have been speaking to the representatives of the workers so that it may not be said that we in our own way—to use the word the hon. Member used—did anything unilaterally. We did not want to do anything unliaterally without understanding the reaction. After all it is meant for them and they should see what the value of it is. Therefore, our negotiations—rather informal talks—are in progress and the representatives of all sections are being consulted; and as soon as these consultations are over we shall come to a decision about it. My impression so far is that those friends who have met me do appreciate the kind of thing that is being proposed and that is being thought of. It will be really something much beyond the level at which the relations stand now.

**Shri S. M. Banerjee:** They have requested you for restoration of recognition in the meantime.

**Shri Nanda:** I do not know, Sir; it rests in the hands of the hon. Deputy-Speaker as to how much time I can take in dealing with these issues. I will try to come to that. I am now coming to the larger question—the machinery on the basis of Whitley Councils. Their scope etc. are being defined and a very big new element in the situation is arbitration. That is something and the way in which new ground is being covered should be appreciated Government says regarding all these matters of importance that if the members of the Government and the working staff disagree, the dispute will go to arbitration. Of course Parliament's supreme rights have always to be preserved. All this is subject to Parliament's authority of course. As soon as these consultations are over, we can bring in legislation also. What is this legislation. There was a provision for some kind of *ad hoc* adjudication in the Railways. The workers complain that it is not being used. Now, there is no question of choice for the Government except in exceptional circumstances when it comes to Parliament. That is the idea.

[Shri Nanda]

Therefore, Government provides for compulsion, against itself, to go to arbitration. When we are told of banning strikes and in my language of making strikes superfluous, this is the meaning. We have some provisions in the Industrial Disputes Act according to which adjudication is provided for and after that the strike is certainly made illegal. Is that called a banning of strikes? It is rather banning the employer from taking his own course of action and using the power of intervention of the State in compelling him to submit to adjudication. Now both have to go to a third party and submit to an impartial settlement. So, if the Government says that all these matters will go arbitration, then it also says because of that, that there shall be no strikes. It is not banning strikes. It is the normal sequal of having left matters to arbitration. Therefore, if there is the slighest doubt on that score, let it be dispelled.

**Shri Naushir Bharucha:** Basically we agree with you there.

**Shri Nanda:** I am glad and I am grateful for that. But somehow things are torn out of context, without their proper relationship. Other meanings are read into it and various organisations have come up saying: if there is any such legislation, we will do this and that. Maybe, that we might shrink from it and they say because these people may create trouble, why do it like it? Who will suffer? The workers will suffer. That is the larger question.

About recognition, I have spoken to those that it can never be intended that the withdrawal of the rights of negotiation can be permanent. I indicated in my speech also. Even in the code of discipline it is clear that if a union was conducted itself in a certain way, it is a mutually accepted obligation that it loses its rights for a year or so; it is stated there. Therefore, it cannot be for ever. As soon as these discussions are over, I think that something should be considered. Even before that, the intention was,—and I believe it is being carried out—that it should not be that there is a complete vacuum. I have been asking the Ministries about it and I have been getting reports from time to time about the progress of action regarding the various cases, etc., and about the machinery that that they are having. They are having some means of contact and they are looking into these things. But, what is going to be there later and how it is going to shape is the more important part of it.

The question about outsiders was raised. I have personally not been very much enamoured of the idea about banning outsiders by law. But this has to be viewed in terms of the good or otherwise that it will do to the relationship between the workers and the Government and how it can develop on sound and good lines. It may be that in the terms of recognition this also is an element. We are having talks with the workers themselves and we would like to have their reaction to these ideas. So far as I am concerned, I want to base my attitude and outlook on the general consensus and the general sense of the people who are going to be concerned with this. It is not as if we are going to impose anything on them.

There were two or three points of a general nature. There was the question of norms raised in relation to the decisions of the Indian Labour Conference. I have stated it again and again in this House. Only the other day, two days ago, the Standing Labour Committee met, and I have explained it. They are quite content with what I said. They understand it. There is no repudiation of the Indian Labour Conference decisions. I repeat it. I further stated there that the Finance Ministry only said that Government did not ratify it. That is only a factual statement. It will be taking too much time if I go into it in detail. I have already exceeded the time allotted to me. I need not, therefore, go into the implications of it.

Then there was reference to the Labour Ministry in relation to the employing Ministries, or something like that. The employer, as everywhere, gets or develops certain outlook. I may be acting as an employer and then I have to see that certain results are obtained. There has been certain resistances. But I inform hon. Members that every department of Government has agreed to the code of discipline. About workers' participation also, the Ministers have met and they said: "Yes." They were enthusiastic and they would like to have it. I think there is hardly anything left now where there is any kind of gulf between what you call the Labour Ministry today and what the other Ministries are doing. Therefore, there is no question of abdication of responsibility. The Labour Minister cannot be a dictator in the Government. He is, along with others, trying to work and to function in the best manner possible.

About hunger and anger, it was mentioned that some eruption takes place when they meet. We were told that government servants voted in a certain way. I do not mind what they did. It is a constitutional right for anybody to vote in any manner. But the only implication is that they voted in anger. When a person does something in anger, he does not always do the right thing. There was some mention about something which happened in Kanpur.

**Shri S. M. Banerjee:** The intensification of the workload by the employers.

**Shri Nanda:** There are many things happening in the States. Wherever any difficulty has arisen or has occurred, we have tried to persuade the States and they have agreed to set up a machinery for implementation.

**Shri S. M. Banerjee:** They have always come to the rescue.

**Shri Nanda:** The Standing Labour Committee took notice of the whole working of the code of discipline. There are difficulties here and there. But on the whole it is functioning well. We are prepared to use our good offices: not that we have any authority over the States. But we do it. Our machinery here takes notice of cases which arise and bring it to their notice, wherever we find that there is some ground for dissatisfaction.

I believe in the time I had, I have dealt with the various points which have arisen.

**18 hrs.**

**Shri Nath Pai:** Would he indicate how long the currtnt series of talks would take, in his expectation and whether all the representatives of all the bodies which have been derecognised will be included? Would he also indicate how soon he expects to introduce legislation and pending these, whether he is contemplating to give *ad hoc* recognition and whether he would persuade his colleagues to do so? These are the main points and he may give a reply.

**Shri Nanda:** I have said that on our part we are ready with some kind of draft scheme. I have consulted already some of the railwaymen, P. & T. workers, etc. Two more meetings also will take place.

**Shri Nath Pai:** I hope he will invite the representatives of the AIRMF—All India Railwaymen's Federation.

**Shri Nanda:** We are going to meet the employees, not as a federation. We will meet the people mainly concerned. If we are agreed generally about the structure and the kind of provisions and the machinery that has to be made, we will do it very quickly. If, however, doubts arise and there appear to be difficulties, possibly it may be delayed.

**Shri S. M. Banerjee:** I am grateful to the hon. Minister for clarifying certain doubts which were lurking in our minds. He said that the strike is

[Shri S. M. Banerjee]

not going to be banned, but it is going to the declared superfluous. I would like to know still whether this question of banning the strike is completely ruled out, whether it will be automatically banned . . .

**Mr. Deputy-Speaker:** What is going to be he has explained. Whether it is banning or declaring it superfluous, it is for the hon. Member to construe.

**Shri Nanda:** You cannot have both arbitration and the strike.

**Shri S. M. Banerjee:** Compulsory arbitration was existing even during the time of the strike. It was not done when the ordinance was passed. That is clear.

One this question of victimisation, I demanded an impartial tribunal. What can be more pleasing than these sweet words of the hon. Minister whose heart always bleeds for the workers? But these six hundred workers have either to beg on the street of commit suicide, like their three brothers. In that case, can we possibly write these kind words on their graves as epitaph? It is not possible. There is still time. I submit that an impartial tribunal must go into this. Many cases have been decided unfortunately on the basis of past prejudices. I can quote many instances; I have been quoting them.

About the Kanpur affairs, the hon. Minister said that the Standing Labour Committee has taken note of the entire situation. Without imputing any motive to the State Labour Minister or the Chief Minister, who generally accepts handsome donations from the parties concerned—that is a different matter—but after all . . .

**Mr. Deputy-Speaker:** The hon. Member has developed a habit of entering into controversies which are not needed at particular moment. What has this to do with their accepting donations? There are many more occasions when those things can be said.

**Shri S. M. Banerjee:** In future I will definitely see that I do not mention such things which are not palatable.

**Mr. Deputy-Speaker:** Which are not palatable to whom?

**Shri S. M. Banerjee:** To me and everyone.

**Mr. Deputy-Speaker:** No. He is making aspersions even on the Chair. Who else has spoken? Only I interrupted and said that those things which are not relevant might not be said.

**Shri S. M. Banerjee:** I am sorry.

**Shri Nanda:** I intentionally and for lack of time avoided going into all that. You were not present when those things were said before. Dr. Melkote has answered that point.

**Shri S. M. Banerjee:** I think the hon. Minister should intervene in this matter because this amounts to intensification of workload forcibly done by the employer with a threat of lock-out. He wants to see that the workers work more. I have quoted the instance of tannery workers, where the Labour Commissioners has agreed to refer the entire matter to adjudication, and the minimum which we expect from the employer is that there will be no victimisation. This is a very serious matter. Since the hon. Minister has visted those tanneries and he knows the condition of the workers there, I would request him to help the State Labour Minister in this matter. It is no question of attributing any motive on the Labour Minister or the Chief Minister of the State.

I would again request him to consider seriously the appointment of an impartial tribunal for settling the cases of victimisation of Central Government employees. I would also say that restoration of recognition should be done till that legislation is brought.

Lastly, I would say that the hon. Minister must intervene in the case of this serious dispute, otherwise it may develop as a very serious dispute and 1955 may be repeated. Sir, when ever I was in trouble, whether in the Suthi Mazdoor Sabha or any other Union in Kanpur approached me, I have always knocked at his door knowing fully well that he is impartial in his dealings and he acts impartially That is why I again appeal to him.

**Shri Naushir Bharucha:** Sir, the reply of the hon. Minister has revealed a considerable amount of agreement between the point of view which we have expressed and the point of view which the Government has. The basic point is that if you provide a machinery by way of arbitration, whatever type of machinery you create then strikes become automatically superfluous. It is immaterial how you label that thing, whether you call it banning strikes or rendering them superfluous. If in substance a worker gets a satisfactory machinery whereby he can ventilate his grievances and get justice done, there is no need of strike.

I only want to make one appeal, that in view of the fact that he is preparing such a scheme—it is very nearly ready—in order to prepare an atmosphere for its reception from this side, the hon. Minister should straightaway grant recognition to the unions and thus prepare an atmosphere for the reception of the scheme which he has in view and thereby pave the way for its success. Do a big thing in a big way with a big heart. That is my appeal, and I am sure the response from this side will not be miserable or unenthusiastic at all.

**Mr. Deputy-Speaker:** I shall now put the motions to the vote of the House. The question is:

> "That this House takes note of the Summary of the main conclusions of the Seventeenth Session of the Indian Labour Conference held at Madras in July, 1959, laid on the Table of the House on the 7th December, 1959."

*The motion was adopted.*

**Mr. Deputy-Speaker:** The question is:

> "That this House takes note of the Summary of proceedings of the Eighteenth Session of the Indian Labour Conference held at New Delhi on the 24th and 25th September, 1960, laid on the Table of the House on the 21st December, 1960."

*The motion was adopted.*

**18.08 hrs.**

*The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, May 3, 1961/Vaisakha 13, 1883 (Saka).*

[*Tuesday, May, 2, 1961/Vaisakha 12, 1838(Saka)*]


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| 4318. | Quarters for Class I employees | 14896–97 |
| 4319. | Training of personnel for Small Scale Industries in Orissa | 14897 |
| 4320. | Tractors in D.D.A. | 14897–98 |
| 4321. | Dandakaranya Development Authority | 14898 |
| 4322. | Industrial accidents | 14299 |
| 4323. | Government accommodation for P. & T. employees | 14899–14900 |
| 4324. | Sacarcity of motor tyres in Assam | 14900–01 |
| 4325. | Textile mills | 14901–02 |
| 4326. | Hindustan Chemicals and Fertilizers Ltd. | 14902 |



CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE 14902—04

Shri P.G. Deb called the attention of the Minister of Home Affairs to the recovery of 'Validation Fee' from the people of Angul Sub-division in the district of Dhenkanal, Orissa

The Minister of State in the Ministry of Home Affairs (Shri Datar) made a statement in regard thereto.

COLUMNS

PAPERS LAID ON THE TABLE . . . 14908—14

(1) A statement regarding the shortage of power in the Calcutta area .

(2) A copy of Notification No. 38989-E.A.-II39/60-R, published in the Orissa Gazette dated the 16th September, 1960 making certain further amendment to the Orissa Estates Abolition Rules, 1952, under sub-section (3) of Section 47 of the Orissa Estates Abolition Act, 1951 .

(3) A copy each of the following papers :—

(i) (a) Annual Report of the National Instruments Limited, Calcutta for the year 1959-60 with the Audited Accounts and comments of the Comptroller and Auditor General thereon, under sub-section (1) of Section 639 of the Companies Act, 1956 . . .

(b) Review by the Government of the working of the above Company .

(ii) (a) Annual Report of the Praga Tools Corporation Limited, Hyderabad for the year 1959-60 along with the Audited Accounts and comments of Comptroller and Auditor General, thereon, under sub-section (1) of Section 639 of the Companies Act, 1956 . . .

(b) Review by the Government of the working of the above Corporation .

(iii) (a) Annual Report of the Indian Handicrafts Development Corporation Limited, New Delhi for the year 1959-60 along with the Audited Accounts and comments of the Comptroller and Auditor General there, on under sub-section (1) of Section 639 of the Companies Act, 1956 . . .

(b) Review by the Government of the working of the above Corporation .

(iv) (a) Annual Report of the Hindustan Cables Limited, Burdwan for the year 1959-60 along with the Audited Accounts and comments of the Comptroller and Auditor General thereon, under sub-section (1) of Section 639 of the Companies Act, 1956 .

(b) Review by the Government of the working of the above Company .

(v) Government Resolution No. 15(1)Met/60 dated the 22nd April, 1961 under sub-section (2) of Section 16 of the Tariff Commission Act 1951, revising Government's decision contained in paragraph 2(6) of Resolution No. 15(15) Met/58, dated the 5th December, 1959 relating to the fair price payable to the Metal Corporation of India .

(4) A copy of the Central Boilers Board (Nomination of Members) Rules, 1961 published in Notification No. G.S.R. 490 dated the 8th April, 1961, under sub-section (2) of Section 28A of the Indian Boilers Act, 1923.

(5) A statement regarding Safety Education and Propaganda in Mines .

BILL INTRODUCED 14914

The Indian Railways (Amendment) Bill, 1961

BILLS PASSED . . 14914—32, 14964-65, 14978—80

(i) Further clause-by-clause consideration of the Delhi (Urban Areas) Tenants' Relief Bill, 1961 concluded. The Bill was passed as amended.

(ii) The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur) moved for consideration of the Marking of Havy Packages (Amendment) Bill,, 1960. The motion was adopted, After clause-by-clause consideration, the Bill was passed as amended .

COLUMNS

BILLS PASSED—*contd.*

(iii) The Appropriation (No. 3) Bill, 1961 was introduced. The motion for consideration of the Bill moved by the Deputy Minister of Finance (Shri B. R. Bhagat) was adopted. After clause-by-clause consideration, the Bill was passed.

(iv) The Appropriation (Railways) (No. 3) Bill, 1961, was introduced. The motion for consideration of the Bill moved by the Deputy Minister of Railways (Shri S.V. Ramaswamy) was adopted. After clause-by-clause consideration, the Bill was passed.

DEMANDS FOR EXCESS GRANTS . . 14932—63, 14965—78

(i) All the Demands for Excess Grants in respect of the Budget(General) for 1958-59 were voted in full.

(ii) All the Demands for Excess Grants in respect of Budget (Railways) for 1958-59 were voted in full.

COLUMNS

BILL UNDER CONSIDERATION . . . 14980—15002

The Minister of Steel, Mines and Fule (Sardar Swaran Singh) moved for consideration of the Coal Mines (Conservation and and Safety) Amendment Bill, 1961. The discussion was not concluded.

MOTIONS RE.SEVENTEENTH AND EIGHTEENTH SESSIONS OF INDIAN LABOUR CONFERENCE . . 15002—60

Sarvashri S. M. Banerjee and Naushir Bharucha moved respectively that the House take note of the main conclusions of the Seventeenth and Eighteenth Sessions of the Indian Labour Conference. The motion was adopted, after Sarvashri S.M. Banerjee and Naushir Bharucha had replied to the debate.

AGENDA FOR WEDNESDAY, MAY, 3, 1961/VAISAKHA 13, 1883 (*Saka*)

(i) Further consideration and passing of the Coal Mines (Conservation and safety) Amendment Bill, 1961

(iii) Consideration and passing of the Delhi Shops and Establishments (Amendment) Bill, 1961, as passed by Rajya Sabha and consideration and passing of the Salar Jung Museum Bill, 1960, as passed by Rajya Sabha.

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GMGIPND—LS II—479 (Ai) LS—12-5-61—900.